NATIONAL ANTI-SLAVERY STANDARD.

SYDNEY HOWARD GAY, Editor. Without Concealment---Without Compromise. JAMES RUSSELL LOWELL, Corresponding Editor.

VOLUME IX.---NO. 36. NEW-YORK, THURSDAY, FEBRUARY 1, 1849 WHOLE NUMBER 452.

PUBLISHED WEEKLY,
BY THE
AMERICAN A. S. SOCIETY
At 142 Nassau Street, New-York.

☞ All communications for the paper, and letters relating to its pecuniary concerns, should be addressed to the Editor.

☞ Donations to the Treasury of the American Anti-Slavery Society may be forwarded to Francis Jackson, Treasurer, at Boston; or to S. H. Gay, Assistant Treasurer, at New-York.

TERMS.—Two Dollars per annum: Strictly in advance in all cases.

Selections.

SPEECH OF MR. J. R. GIDDINGS, OF OHIO,

On the Bill to pay the heirs of Antonio Pacheco for a slave sent West of the Mississippi with the Seminole Indians in 1838. *Made in the House of representatives, Dec.* 28, 1848, *and Jan.* 6, 1849.

Mr. Giddings said he had not intended to participate in this debate; but, from the favour with which the bill had been regarded in Committee, and the majority in favour of its engrossment, he apprehended that gentlemen had not carefully examined the facts of the case, nor did he think they had fully considered the principles involved in the passage of the bill. There are (said he) certain great and fundamental truths which lie at the foundation of our Government. We profess to "*hold these truths to be self evident, that all men are created equal;*" yet the bill before us admits one man to be the property of another; that one man may rightfully hold another subject to his will, may scourge him into obedience, and compel him to labour for the benefit of his master. We profess to believe that all men "*are endowed by their Creator with the unalienable right to the enjoyment of life, liberty, and the pursuit of happiness;*" yet the bill before us admits the claimant to have rightfully held the liberty and happiness of his fellow-man at his entire disposal. Now, if we pass this bill, our professions will be in direct contradiction to our practice. If we really hold to these doctrines, it is certain that we must oppose the bill; and it is equally certain that if we pass the bill, we shall, by such act, deny these truths. We each of us *deny* these doctrines, or we *hold* to them. We cannot do both. To say that we hold to them, and at the same time support this bill, would be placing our *professions* in direct contradiction our *actions*. The inconsistency would be too obvious to deceive any one. Tell me not that you hold to the undying truths contained in our Declaration of Independence, and at the same time sit here to estimate the value in dollars and cents, of the body and mind of your fellow-man. Those who founded our Government declared their ulterior object. That object was to "*secure all men* (residing within our jurisdiction) *in the enjoyment of life, liberty and the pursuit of happiness.*" Are we to-day (said he) carrying out these objects? Here, sir, are two hundred and thirty American statesmen legislating for the benefit of *Slavery*. There is no evading this plain and obvious fact. No subterfuge can hide it from the people. The powers of Government were instituted by our patriotic fathers for the express purpose of securing to all for whom we legislate the blessings of liberty. We are now sitting here to compensate the oppressor of his fellow man for his inability to continue his power over the victim of his barbarous cupidity. The members who vote for this bill will give unmistakable evidence of their approbation of Slavery, and their willingness to sustain it.

Before I proceed further, I will give a synopsis of the facts involved in the case. The claimant, in 1835, residing in Florida, professed to own a negro man named Lewis. This man is said to have been very intelligent, speaking [illegible] which he read and wrote with facility. The master hired him to an officer of the United States, to act as a guide to the troops under the command of Major Dade, for which he was to receive twenty-five dollars per month. The duties were dangerous, and the price was proportioned to the danger. At the time these troops were massacred, this slave Lewis deserted to the enemy, or was captured by them. He remained with the Indians, acting with them in their depredations against the white people until 1837, when, General Jesup says, *he was captured by a detachment of troops under his command.* An Indian chief, named Jumper, surrendered with Lewis, whom he claimed as a slave having, as he said, captured him at the time of Dade's defeat. General Jesup declares that *he regarded him as a dangerous man; that he was supposed to have kept up a correspondence with the enemy from the time he joined Major Dade until the defeat of that officer; that to insure the public safety, he ordered him sent West with the Indians; believing that if left in the country he would be employed against our troops.* He was sent West; and the claimant now asks that we should pay him a thousand dollars as the value of this man's body.

The Committee on Military Affairs were unable to unite in a report upon the case. Five *slaveholders*, representing slave property on this floor, and constituting a majority of the committee, have reported a bill for the payment of this amount to the claimant. Four Northern members representing *freemen only*, have made a minority report against the bill. This report, as I think, is sustained by irrefutable arguments.

The majority of the committee assume the position that slaves are regarded by the Federal Constitution as *property*, and that this Government and the people of the Free States are bound to regard them as such, and to pay for them as we would for so many mules or oxen taken into the public service. The minority deny this doctrine. They insist that the Federal Constitution treats them as *persons* only, and that this Government cannot constitutionally involve the people of the Free States in the guilt of sustaining Slavery; that we have no constitutional powers to legislate upon the relation of master and slave. There are several other points on which the committee differ, some of which I intend to notice; but I propose first to examine for a few moments that of the constitutional power. It is due to myself and to the country that I should call public attention distinctly to the fact, that these questions are forced upon us by Southern gentlemen, against the wishes and remonstrance of every member of the committee from the Free States. Involving as it does the great fundamental principles of our Government, a distinguished member from the North (Mr. Rockwell, of Connecticut) introduced a resolution to close the debate in *one hour* from the time we went into Committee. I thought it unbecoming Northern members to attempt thus to stifle debate on so important a matter, forced upon us by the South. I therefore called for the ayes and noes on that resolution, and now hold the floor by a sort of legislative fraud, having voted *for* the engrossment of the bill with the sole object of obtaining the floor.

Sir, at the formation of the Constitution, Slavery was condemned in the severest language by the delegates who framed that instrument. It is true they had been regarded in England as property.—In 1749, Lord Hardwicke had decided that trover lay for a slave in the British courts. That was the *last* decision of the kind made in England or in civilized Europe. One hundred years have elapsed since that decision. Its doctrines have been a thousand times discarded, contemned, and overthrown, by the statesmen and jurists of that nation; but here, in an American Congress, we now hear this barbarous doctrine revived.

In 1772, Lord Mansfield boldly assailed the doctrine laid down in this Hall to-day, and exhibited its absurdity in one of the ablest opinions to be found on record. From that period this doctrine of property in man has found no supporters under the Government of England. With all our refinement as a nation, with all our boasted adherence to liberty, on this subject we are three-quarters of a century behind our mother country.

When Sir Warren Hastings was on trial in the House of Peers in 1787, Mr. Sheridan, speaking on this subject, in his own peculiar and fervid eloquence, declared that "allegiance to that Power which gives us the *forms* of men, commands us to maintain the *rights* of men; and never yet was this truth dismissed from the human heart—never in any time, in any age—never in any clime where rude man ever had any social feelings—never was this unextinguishable truth destroyed from the heart of man, placed as it is in the core and centre of it by his Maker, *that man was not made the property of man.*" This was the language of British statesmen sixty-two years since. To-day we have before this branch of the American Congress the report of a committee avowing that, under his Federal Government, in the middle of the nineteenth century, "*man is the property of his fellow-mortal.*"

These sentiments of the British statesmen and jurists inspired the hearts of our American patriots in 1776, when they declared it to be a 'SELF EVIDENT TRUTH THAT ALL MEN ARE CREATED EQUAL."—When they framed our Constitution, they declared their object was "*to establish justice, and to secure to themselves and their posterity the blessings of liberty.*" This subject of holding property in *men* did not escape their attention, nor have they left us ignorant of their views in regard to it. Mr. Madison, the father of the Constitution, has left to us a clear and explicit account of their intentions. He informs us, that on

"Wednesday, August 22, the Convention proceeded to consider the report of the Committee of Detail, in relation to duties on exports, a capitation tax, and a navigation act.—The fourth section reported was as follows:

"No tax or duty shall be laid by the Legislature on articles exported from any State, nor on the migration nor importation of such persons as the several States shall think proper to admit; nor shall such migration nor importation be prohibited."

"Mr. Gerry thought we had nothing to do with the conduct of the States as to Slavery, *but we ought to be careful not to give any sanction.*"

Our people think, with Mr. Gerry that "*we have nothing to do with Slavery in the States.*" We are determined that we will not be involved in its guilt. With Mr. Gerry, we intend "*to be careful to give it no sanction.*" No, sir; we will not sanction your Slavery by paying our money for the bodies of slaves. This is the doctrine which we hold, and which we expect to maintain; yet the members of this body are now engaged in legislating upon the price of human flesh. If we pass this bill, we shall give our most solemn sanction to that institution which Gerry and his compatriots detested. Will the members from Pennsylvania, the successors of Franklin and Wilson, lend their sanction to Slavery, by voting the moneys of the People to pay for slaves?

But Mr. Madison tells us that "Mr. Sherman (of Connecticut) was opposed to any tax on slaves, as making the matter worse *because it implied they were property*"

I understand that *some* gentlemen from the North admit that slaves are *property*. Mr. Sherman and the framers of the Constitution would do no act by which it could be *implied* that they were property.

Mr. Madison also participated in the discussion himself, and, as he informs us, "DECLARED THAT HE THOUGHT IT WRONG TO ADMIT THAT THERE COULD BE PROPERTY IN MEN?" And the report of the committee was so amended as to exclude that idea.

In that assemblage of illustrious statesmen, no man expressed his dissent from these doctrines of Gerry, of Sherman, and of Madison. These doctrines are: 1. That we "*should have nothing to do with Slavery, but ought to be careful not to give it any sanction.*" 2. That "*we should do no act by which it can be implied that there can be property in men.*" 3. "That it would be WRONG FOR US TO ADMIT THAT THERE CAN BE PROPERTY IN MEN." Such were the views of those who framed the Constitution. They intended to express their views in such language as to be understood. Will this House stand by them?

The gentleman from South Carolina [Mr. Burt] declared that he would leave us no room to escape this issue—"*no loophole at which to get out*:" that we must find under the Federal Constitution, or that there is *not*. I am most happy to meet the gentleman on that point, and am prepared to submit the question to those who framed that instrument, to Mr. Madison. His decision is left on record. The only question is: Have the Representatives of the people here the firmness and the independence to maintain the Constitution? There stands the record of their intentions. "He who runs may read." No man can fail to understand the intentions of those who framed our political compact. Those intentions constitute the very spirit of the Constitution, which we are sworn to support. The people of the free States are aware of the objects and intentions of those patriots. They know their rights under the Constitution; they hold the indisputable right to be free and entirely exempt from the corroding stain of Slavery. So perfectly were these principles understood in the early days of the Republic, that after the war of the Revolution no man asked pay for his slaves that were taken from him or killed in the public service. In the year 1830, the Register of the Treasury declared that no instance of the payment for slaves during the Revolution was to be found on record. No, Sir; Madison and Jefferson, and their cotemporaries, were then living. They well understood the principles on which the Union had been formed. They respected the rights of the *free* as well as of the slave States, and no man then attempted to involve the people of the North in the support of Slavery. I believe the first attempt to make this Government pay for slaves was in 1816. This was twenty-seven years after the adoption of the Constitution, and forty-two years after the Declaration of American Independence. It is an important historical fact, that shows clearly the opinions then entertained on the subject.

After the close of the late war with England, a bill was pending in this House, providing for the payment of property lost or destroyed during that war. When the section providing for the payment of horses, carts, &c. *impressed* into public service and destroyed, Mr. Maryant, from South Carolina, moved to amend the bill so as to embrace *slaves*. The motion was opposed by Mr. Yancy and Mr. Robertson, and was negatived by a large majority. (See National Intelligencer, December 28, 1816.) This was a motion so to amend this bill as to pay for slaves if killed in the public service, when they had been *impressed*. I have heard Northern members express the opinion pending this bill, that we ought to pay for slaves, if lost, when they were *impressed* into the service. Sir, such was not the case thirty-five years since. Our predecessors then spurned the proposition.—Where now is the feeling, the spirit, which animated them? We have no record of the speeches, but every member will see that the case proposed was the strongest case that could be imagined. It was where a slave was taken against the will of the master, and *pressed* into service, and killed by the enemy. Yet they rejected the proposition by a large majority. The claim before us is of incomparably less force. Here the master hired the slave at a high price, to go with the troops as a guide, and of course took upon himself all risks.

The next case was that of D'Auterive. He had claims against the United States for wood and other necessaries furnished the army and for the loss of time and expense of nursing a slave who was wounded in the service of Government in New Orleans. This case was more interesting from the fact, that there was at that time an attempt, as on the present occasion, to break down that well-known principle in our Constitution, that "slaves are *persons*, and not *property*."

The Committee on claims at that time (1828) was composed of four Northern and three Southern men. At its head was an honorable Southern man, [Lewis Williams, of North Carolina,] who served his country longer in this body than any other that ever sat in this hall. For more than a quarter of a century he was a distinguished member of this House. There are few, very few, now present, that had the pleasure of serving with him; but his cotemporaries can attest to his great abilities and deserved influence. That committee reported in favour of allowing compensation for the articles furnished to the army, but said, expressly, that "*slaves not being property*, they could not allow the master any compensation for his loss." This was the unanimous report—Mr. Williams of North Carolina, Mr. McCoy of Virginia, and Mr. Owen of Alabama, uniting in the report. Mr. Williams had been cotemporaneous with Mr. Madison and Jefferson, and he did not hesitate to avow the doctrines of the Constitution, and to maintain them. Here is the record of his opinion and of the views of his associates. When the bill came up in Committee of the Whole, certain Southern men suddenly became excited, worked themselves into a passion, threatened a dissolution of the Union, and all that sort of thing. In short, they manifested that spirit of dictation and intimidation which we have so often witnessed on more recent occasions. They made a strenuous effort to reverse the decision of the Committee on Claims, but after some two weeks' discussion, gave it up, laid the subject on the table, and there the matter ended.

This discussion was thirty-nine years subsequent to the adoption of the Constitution, and more than fifty from the Declaration of Independence. The principle that slaves were *persons* and *not* property, was reaffirmed, upon full discussion, without the light which we possess on the subject. The Madison papers were not then published. The views of Gerry and Sherman and Madison, in the Convention, and the action of that body in relation to this matter, were unknown to them. Should we now *reverse* that decision, and overturn the practice, we shall sin against greater light than they possessed.

The next and only remaining instance in which the question of appropriating the treasure of the nation to pay for slaves was in 1843. "A bill for the relief of the people of West Florida," intended to provide for the payment of slaves taken by the army of General Jackson from the inhabitants of that Territory in 1814, came up for discussion. The slaves had been taken, against the consent of their owners, by the military power of the nation. I think there were about ninety, taken from different individuals. The proposition was distinct in its character. The object of the bill was to pay for human flesh. I myself opened the debate, and stated, as the principal grounds of my opposition to it, that slaves were not regarded as property by the Federal Constitution. My venerable and lamented friend, now no more (John Quincy Adams,) sustained my positions. Several Southern gentlemen spoke in favour of the bill. The Journal is now before me, and shows the bill to have been rejected, by a vote of *one hundred and thirteen to thirty-six*. This was done by a *Whig* Congress. Not one of that party from the free States voted for the bill.

I have now given a history of our legislation on this subject. There was a bill passed this body, "*sub silento*," on one of those days when there is, by the rules of the House, no discussion by which payment was made for a slave. My friend from Pennsylvania, [Mr. Dickey] has stated the facts in regard to it. I knew that such a bill was pending, and so did Mr. Adams; and we had mutually agreed to oppose its passage; but it slipped through unnoticed, and, therefore, constitutes no precedent.

In 1843, a bill passed this body to pay over moneys obtained by the Government from Great Britain, and held in trust by us, to be paid to the owners of slaves lost on board the "Comet and Encomium." This bill also passed the Senate, and became a law. At the last session we passed two bills to pay over moneys held in trust for the same purpose. These cases were not to take the treasure of the people of the free States to pay for slaves, but to pay over money that did not belong to us, but which we held for the use of those who claimed it. But from the dawn of the Revolution to this day, being more than seventy years, this House has expressed but one opinion on this subject. They have at all times *refused to tax the people of the North to pay for the slaves of the South.* We have never regarded them as property. But an attempt is now making to change the essential elements of our Government. Statesmen, now, in the high councils of the nation, deny that "*all men are created equal;*" that "*they are endowed by their Creator with the unalienable right to their lives and their liberties;*" or, that "*Governments are instituted among men to secure the enjoyment of those rights,*" by assuming a portion of our race of their humanity, and reducing *them to the state of brutes, and making them the property of others.* Will Northern members assist to commit this outrage upon the honour of the nation and constitutional rights of the Northern States? Is there a member from the Free States who will vote to tax his constituents to pay for Southern slaves? If so, let them place their names on record in favour of this bill, and let that record descend to coming generations, as a lasting memento of the principles which guide them.

I have now referred to the history of our legislation on this subject. The action of our committees was well commented upon by my friend from New Hampshire, [Mr. Wilson.] I wish, however, to add a few words on this point. I am not aware that any committee of this House ever reported in favour of paying for slaves, until the first session of the 27th Congress—being more than sixty-five years from the formation of the Government.

In 1830, my predecessor, the Hon. E. Whittlesey, reported upon the case of Francis Larche. This was the case alluded to by the gentleman from South Carolina, [Mr. Burt.] I understood him to say that the slave of Larche was *not impressed.*

Mr. Burt. The gentleman is mistaken. The statement which I made was this: that no case could be adduced in which a refusal to pay for a slave had been made, on the ground that he is not property. The gentleman is totally mistaken.

Mr. Giddings. I certainly understand the gentleman now, and I refer particularly to the case of D'Auterive, which was rejected on this identical point. The committee say, in express language, that "*slaves have never been placed on the footing of property.*" And they rejected the claim distinctly *on that point.*

But to return to the case of Larche. The Committee on claims of the Senate (vide Rep. H. R. 401, 1st session 21st Congress) say, in distinct language, that "the cart, horse, and negro man Antoine, belonging to the petitioner, were *impressed*, and sent to the lines of the American army, on the 1st day of January, 1815, *where the negro man was killed by a cannon ball from the British batteries.*"

The gentleman from South Carolina [Mr. Burt] assures us that he was *not* impressed. I can hardly suppose that he was authorised thus distinctly to deny the accuracy of that report, in a matter of fact, However that may be, it is certain that the committee understood that the man *was impressed.*—They therefore acted upon that hypothesis; and with that belief the committee unanimously reported against the bill. No stronger case can be imagined. The horse, cart, and negro, were *impressed*, as the committee reported and believed. The petitioner was paid for the *property*—that is, the horse and cart—but the claim for the slave was *rejected.*—Yet, sir, they had not the advantages of knowing the sentiments of the framers of the Constitution which we possess. They were unconscious that the members of the Convention declared that "*they ought to be careful to give no sanction to Slavery;*" that they should do nothing by which "*it could be implied that slaves were property;*" *that it was wrong to admit that there could be property in man.*" I repeat, that to the best of my knowledge, (and I have bestowed much labour upon the subject,) no report was made in favour of paying for slaves from the public Treasury during the first half century which this Government existed under the present Constitution.

If wrong on any of these points, I ask gentlemen to correct me here, before the country. Let them expose my errors in the presence of this House, where I can meet them; where, with *truth* on my side, I stand prepared to defend my positions. Let gentlemen stand forth in this hall and meet my facts and arguments like men, like statesmen, and not shrink away in silence, and then set their letter-writers to assail me—to pour forth their miserable abuse upon my humble self. Why, sir, suppose they destroy *me*, they will leave my doctrines, my principles, untouched. *They* will remain while eternity shall last.

But to resume the history of this subject. In the 27th Congress, the claim of James Watson for slaves was committed to the Committee of Claims, of which I was myself Chairman. The friends of the claim, by some means, learned that that committee had always reported against the payment for slaves. They therefore obtained the transfer of that case to the comittee on Indian affairs, who reported a bill to pay for the slaves claimed by Watson.—That report, made seven years since, was the first in favour of paying for slaves as property, so far as my knowledge extends, ever made to this body. During the same session, a report from the Committee on Territories was made of the "bill for the relief of the people of West Florida," to which I have already alluded, and which was rejected by the House.

Mr. Burt. Will the gentleman allow me the floor a moment?

Mr. Giddings. With pleasure.

Mr. Burt. I stated in Committee the other day, in reply to the interrogatory of the gentleman from Ohio, that Mr. Whittlesey, in his report on Larche's case, quoted the report of the Senate. I stated further, that Mr. Williams, to whom the gentleman from Ohio alluded, made a report in the Senate, on this case of Larche, saying that there was no evidence that the slave had been impressed at all. I stated further, that I had examined the Senate files in that case; and there is no evidence there, except the depositions of one or two men, (in the absence of any order,) that he was impressed at all.

Mr. Giddings.—Here is the historical record, the documentary proof, on which we are bound to act. I ask the gentleman from South Carolina if he intends to overthrow it by his sidebar testimony?

Mr Burt. What is it?

Mr. Giddings. That this man was impressed.

Mr. Burt. I do sir. There is no evidence of the fact.

Mr. Giddings. Then I leave the gentleman to take issue with the history. The documentary evidence is, that this slave was *impressed;* that he was taken to the American lines, and was there "killed by a cannon shot from the enemy's batteries."

At the period to which I was referring when interrupted I had been placed at the head of the Committee on Claims, by the then Speaker of this House, [Hon. John White, of Kentucky,] of whom, though a slaveholder, I can never speak except with profound respect. There were at that time many claims for slaves before that committee. It was then our settled policy to make no reports on those cases, lest we should stir up *agitation* on this *delicate* question.

In this Hall, before the House, I was interrogated by a slaveholder [Mr. Wise, of Virginia] on this subject. I was asked distinctly whether our committee *would report in favour of paying for slaves?* I answered, that we would follow the established practice on that subject. He replied, that my answer was evasive, but that the established practice was not to pay for slaves. It so happened, that on the 21st March, 1842, I introduced certain resolutions declaring the rights of the people of the Free States to be exempt from the support of the Slave Trade. For this I was censured and driven from my seat. Another member was added to the Committee on Claims; and then, sir, during my absence, *just eight days after I left the committee, this case was urged upon the members, who were most of them inexperienced in their duties, and unacquainted with the precedents. I left this Hall on the 22d March and on the 1st day of April following a bill was reported by a slaveholding member of that committee, to pay for this man Lewis.* This was the first case of the kind that ever received a favourable report from that particular committee; and that report was obtained in the manner just stated. It was in the sixty-seventh year of American Independence, and the fifty-third of our Constitution. This is the history of this subject, and of this bill. It was reported seven years since by a Whig committee. We are yet to see whether this House can be induced to pass it.

Sir, we have the power to overturn the practice of this body from its first formation; we may overthrow its established and time-honoured principles; we may defeat the objects of those who framed the Constitution; we may subvert the essential elements of that sacred compact which we are sworn to support, for *property*; we may do all this at the bidding of the slave power; we may humble ourselves in the presence of those who hold the rod of terror over us; but there is a superior Power that will hold us to a strict account of our stewardship. Sir, the eyes of the people are upon us; they are watching our actions. The concentrated rays of intelligence now brought to bear upon all our doings, render it impossible for us to deceive them. No evasion, no subterfuge, will screen those who would render *Northern freemen* subsidiary to the support of *Southern Slavery.*

To this day there has been in this Hall sufficient independence and patriotism to reject all propositions of this humiliating character. As I have said, we are now driven to legislate by Southern slaveholders, under the lash of the South.

Mr. Burt. I hope the gentleman from Ohio will allow me this opportunity to disclaim utterly and indignantly any such imputation.

Mr. Giddings. Withdraw it, then.

Mr. Burt. I venture to appeal to this whole Committee, who heard my remarks.

Mr. Giddings. I thought, when the gentleman said he would hold Northern gentlemen to this point, whether a slave was property—"*that he would leave no loophole for us to escape*"—I thought it looked somewhat like the language of intimidation; it smacked somewhat of the plantation, of the crack of the whip. And I took it unkind in the gentleman from Connecticut, that under such circumstances, he should attempt to stifle debate, to seal the lips of Northern men.

This bill is pressed upon us at this particular time, when Southern men are holding Conventions, and manufacturing their usual mock thunder of dissolving the Union, in consequence of *our* agitation.—We hear it rolling along the heavens. It affords amusement to our school-boys, who crack their jokes and sing ditties in regard to it.

Sir, when I reflect that I am now constrained to sit in this Hall to legislate upon the price of human flesh, as *property*, I feel humbled. Before the nation, before Heaven, I protest against this degradation. By what rule shall I arrive at the *value* of this *man?* He is said to be very intelligent and learned, reading and writing four languages. In this respect he has, probably, few equals in this Hall. I mean no offence by this comparison, either to gentlemen now present, or to the negro who is absent. I regard the moral qualities of a man as the proper criterion by which to graduate my respect. In this light, I know not whether the comparison be unjust to him or to those who estimate *his value at precisely a thousand dollars.* I would be as willing to enter into an inquiry as to the value of the body of the honourable members reporting the bill, as I am to estimate the value of a man who, as a linguist, probably has not a dozen equals in this body. If we are to judge of him by the report of the committee, if placed in this body, he might have reflected honour upon our country and our race. The splendor of his genius might have soared far above the grovelling intellects now engaged in figuring up his value in dollars and cents. His name might have been placed in future history beside that of Wirt, of Henry, of Burke, and of Sheridan; or perhaps his philanthropy might have placed him on the roll of fame with Adams and Wilberforce. And yet we are now sitting here to inquire as to the value of this immortal mind, to estimate its price in "glittering dust." My soul shrinks from the impious sacrilege with loathing and disgust. But this ethereal, immortal intellect, was bound in the chains of bondage, shut out from that sphere of usefulness and of action in which God designed it to move; and we are now asked to compensate this claimant for committing this crime against God. I am anxious to see how Northern members estimate their fellow men. What price do they put upon their constituents? Let their votes give the answer.

On a former occasion, I cited the opinion of an eminent jurist (Judge McLean) on this subject. In the case of Groves *vs.* Slaughter and others, (15 Peter's Reports, 449,) this question came distinctly before the Supreme Court of the United States. The Constitution of Mississippi had prohibited the introduction of slaves into that State after a certain day. Slaves were taken there and sold on a credit after the time allowed by the Constitution of that State. Suit was commenced on the note given in consideration of the slaves. The defence set up was, that the contract was illegal and void under the Constitution of that State, which prohibited the sale therein of slaves from without the State. The reply to this was, that slaves were *property*, and therefore the State of Mississippi had no power to prohibit their introduction into the State, as the power to egulate commerce between the States belonged only to Congress. In deciding the law, Judge McLean said:

"By the laws of certain States slaves are treated as property; and the Constitution of Mississippi prohibits their being brought into that State by citizens of other States, for sale or as merchandise. Merchandise is a comprehensive term, and may include every article of traffic, whether foreign or domestic, which is properly embraced by a commercial regulation. But if slaves are considered in some of the States as merchandise, that cannot divest them of the leading and controlling quality of persons, by which they are designated in the Constitution. The character of the property is given them by the local law. This law is respected, and all rights under it are protected by the Federal authorities; but the Constitution acts upon slaves as persons, and not as property."

But one member of that Court dissented from these views. It may therefore be regarded as an authority, so far as the Judiciary are concerned.

If the doctrine contended for by the friends of this bill be correct, if slaves be property, slave markets may be opened in Boston, and Massachusetts will have no power to prohibit there the revolting scenes which are witnessed in this city. If the doctrine contended for by the Southern men be correct, no State can exclude slave markets from its territory, or consecrate its soil to Freedom. It well becomes Southern gentlemen to examine this subject before they base themselves upon the principle that slaves are property. Let that be established, and Congress will have power to prohibit the internal Slave Trade at its pleasure.

I now proceed to another branch of the case. With great propriety the gentleman from New Hampshire inquired, at what *time* the liability of Government to pay for this slave commenced? The question has not been answered, nor do I think it can be answered. The undertaking was hazardous in the highest degree. The troops were all killed but two or three, by the enemy, and those were supposed to be dead. This man alone escaped unhurt. This danger was foreseen, and the master put a price upon the services to compare with the risk. Did this contract bind the Government to pay for the master's loss, admitting the slave to have been *property?* Was it any part of the compact that the Government should insure the property? It strikes me that no lawyer would answer in the affirmative. The law of bailment is surely understood by every tyro in the profession. The bailee for hire is bound to exercise the same degree of care over the property that careful men ordinarily take of their own property. If, then, the property be lost, the owner sustains such loss. Now, conceding this man to be property, the Government would not have been liable, had he run away, or been killed by accident, or died of sickness. Yet, sir, when property is lost or destroyed by the act of God or the common enemies of the country, no bailee is ever holden responsible—not even common carriers, and that is the highest species of bailment. Had this officer, acting on his own responsibility, agreed to take this negro through the country for hire, (admitting the man to have been property, and governed by the same rules of law as though he had been a mule or an ass,) and he had been captured by the enemy, no law would have held such bailee liable. But, sir, an entirely different rule of law prevails where the owner of a chattel lets it to a bailee for wages. Had this man been a mule or an ass, and the officer had hired him of the owner for wages, to ride through that country, or to work in a team, or in any other manner, and he had been captured by the enemy, the bailee would not have been liable, upon any rule of law or of justice; nor would he have been liable if lost in any other manner, except by neglect of the bailee.

[illegible] I invite the gentleman on that proposition. I, too, for the sake of argument, am willing to submit it on principles of law; and I believe that no jurist, or even justice of the peace, would hesitate to reject the claim on those grounds. All must admit that the liability of the Government concerning this man ceased when he was captured by the enemy; up to this point the government was not liable. I understand the author of this bill (Mr. Burt) to argue, however, that we became liable under the contract of bailment. That contract was ended when the man was captured. The claimant then failed to perform his part of it. The stipulation on the part of the master was, that the negro should pilot the troops from Fort Brooke to Fort King, the place of their destination, at the rate of twenty-five dollars per month. He was captured when only half the distance was accomplished. Here the master ceased to perform his compact; it was beyond his power to do so. The contract then ceased to exist; and from that time forth the claimant had no demand on us, either in equity or in law.

I now enter upon another view of this case. It is shown, by the testimony of General Jesup, that this man was supposed to have kept up an understanding with the enemy, from the time he united with Dade's command until the massacre of that unfortunate battalion; that while he was with the enemy, which was more than two years, he *united in committing depredations upon the frontier settlements; in short, that he was one of the enemy.* Our army was sent there to protect this claimant, and his wife and children and neighbours, against this very man, who, in company with others, murdered the people of Florida, and destroyed their property. This expenditure of blood and treasure by the United States was occasioned in part by this very negro, for whom the master now claims compensation. With his extraordinary intelligence, with a knowledge of the wrongs which he and his people had suffered at the hands of those who claimed them as *property*, he must have thirsted for vengeance. He could have felt no attachment, no respect, for a people at whose hands he had received nothing but abuse and degradation. It was natural that he should have sought revenge; and it was natural that his master should become his victim, if within his power. But our army was sent there to protect the people against their slaves who were with the Indians and their effective allies. It was under these circumstances that Lewis was captured, with the other enemies. General Jesup says that he would have tried and hanged him, if he could have found time. This, under martial law, he might undoubtedly have done. And the gentleman who reported this bill admitted that in such case this claim would never have been presented. Suppose he had been slain in battle: I think we should never have heard of this claim. But why had General Jesup a *right* to hang him? Because he was an *enemy, dangerous to the people and to the Government.* But who will for a moment hesitate to say that he had the same power, yea, greater power, to send him out of the neighbourhood, than he had to slay him in battle, or to hang him. Humanity surely would dictate that he should be sent out of the neighbourhood, rather than his life should be sacrificed. Has the claimant's loss been greater than it would have been had the negro been slain or hanged? Not at all. He had been taken in arms, had committed depredations upon the people; he had occasioned much loss of blood and treasure to the nation. Could General Jesup have left him in Florida, consistently with his duty? I think not.

Here another important question arises. Had the claimant any right to keep an enemy so dangerous within any civilized community? Is there a member of this body who will rise in his place and assert that any master possesses the right to retain such a foe on his plantation? Has any man the right to keep a rabid dog, or other animal, and suffer him to go at large in the community? I am now arguing the legal question. I am considering this man as property, the same as though he were an ass or a mule. And I lay it down as clear and indisputable law, that had such mule or ass killed the people, and destroyed their property, as this man had done, any member of the community might either have shot him, or chased him out of the neighbourhood with impunity.

I therefore meet the gentleman who reported this bill on every point involved in this case, legal, equitable, or constitutional, and I can find no merits in it.

But, sir, as I am for the moment engaged in a *legal* examination of the case, I desire to follow it a little further. This man was guilty of treason against the United States, or he was an enemy to our Government. I think it doubtful whether slaves can commit treason, as they owe no allegiance to our Government. But if he was not a traitor, he was surely an enemy to the country. Now, sir, whether traitor or enemy, and the master, knowing the fact, "had harboured him," "adhered to him," or "given him aid and comfort," would not the master have been guilty of the crime of misprision of treason against the United States, and punishable under our laws? Of this I think there is no doubt. And yet we are called upon to pay him a thousand dollars for taking away a man thus dangerous to himself, who, if he had remained with him, would probably have subjected him to the gallows. Let gentlemen reflect and vote as men, as intelligent Statesmen.

Another question arises in this case, which, to me, is equally fatal to the claim. A state of war existed. General Jessup was the commanding officer in Florida. He was the agent of the Government; and whatever the Government might do to insure the safety of the people, their agent for the time being could accomplish under the martial law. By the term "martial law," I mean the *war power*, which is the most dangerous, the most indefinite, the most unlimited, exercised among nations. I do not refer to the rules and articles of war, but to that vague, indefinite, undefinable power which knows no limits. It is that power which, in time of war, may do anything in the power of man to accomplish; may command any sacrifice of the people, or of any portion of them, in order to secure the safety of the Government, and of the subjects generally. It is that power which authorizes the military commander, in short, to do whatever he deems necessary for the security of the public; by which, suspected men were arrested and imprisoned in Connecticut and New York during the Revolution; by which, others were ordered to leave the country; and by which, others were shot down, their dwellings burned, and their estates confiscated. It is the power exercised in South Carolina, during the Revolution, by Sumter, and by Marion, and their compatriots. It was by virtue of this power that Jackson, at New Orleans, suspended the writ of *habeas corpus*—adjourned the Legislature of Louisiana—ordered old men and boys, not liable to do military duty by law, on to the lines, to defend the city—*sent all foreigners out of the city*, as he regarded them dangerous, as this man was supposed to be—suffered no communication between the city and country—ordered a portion of the slaves also into service, and sent the others back into the interior. Many of those slaves were killed, but we have at all times refused to pay for them. But does any one deny these unlimited powers? Not at all. If General Jackson had the right to send freemen and slaves away from the scene of danger, had not General Jessup the same power? Most assuredly he had. But the best illustration of this tremendous power is said to have occurred at Fort Erie, at the time the British attacked it in 1814. A lieutenant commanded a *picket guard* at the west of the fort, perhaps a mile distant. A beautiful plain extends in that direction some three-fourths of a mile, bounded by a dense forest. He was posted in this forest. As the British column advanced, the brave lieutenant, with his little band, retreated in front of them, keeping up his fire in gallant style, in order to retard their progress, and give notice to our men in the fort, and time for them to prepare to receive the enemy. An officer who had command of a heavy park of artillery on that wing of the fort, as the British column emerged from the forest, and he saw its force, opened a tremendous fire upon it. Our little guard and their brave commander were directly between the fort and the advancing column of the British Army. They of course fell beneath the same fire that cut down the hostile column. As the story is related, General Brown was advised that the British column was broken and scattered before they reached the fort, so that not a man scaled its walls. But the whole of our picket guard, with their commander, were sacrificed; not a man survived. For this conduct the officer was arrested, and, on trial, showed conclusively that the sacrifice of our own guard of thirty men was *necessary to save the fort* and those in it. They, sir, were freemen. Their lives were surrendered for the safety of the army.—These five Southren gentlemen who reported this bill now insist that the widows and orphan children of those men shall contribute a portion of their substance to pay for a Southern slave, who, for the safety of his own master as well as others, was sent out of the neighbourhood. If there be a Northern man in this body willing to lend his vote to consummate such an insult to the honour of the Free States, let him stand forth and avow it. Were it not chilling to the feelings of humanity, I would give another illustration of this indefinite and unlimited power. I refer to the execution of those lads on board the sloop of war Somers, a few years since, when several midshipmen and apprentices were hanged by order of a lieutenant, without trial, in order to secure the safety of the ship and crew. Shall we now tax the fathers and brothers of those young men to pay for this slave?

But, sir, to come more immediately to the precise case before us, I refer gentlemen to the Southampton riots in 1832. The newspapers of that day informed us that slaves, and indeed coloured freemen, were shot down in the streets, others sent to prison, and others sent out of the neighbourhood. Shall Northern men be taxed to pay for them? Certainly, if you pass this bill, we must expect to open the Treasury to the slaveholders in all these and in ten thousand other cases. By virtue of this same power exercised at Southampton, General Jesup, in order to secure the safety of the people of Florida, sent this man Lewis with the Indians west of the Mississippi; and now the master, instead of paying the expense of arresting this man—instead of refunding to this Government and to the people of Florida the losses he has occasioned by bringing this slave among them—instead of paying for the property this man destroyed—he comes here and demands that we should pay him a thousand dollars for preventing Lewis from *killing more people and destroying more property.*

I have now stated my own views in regard to the powers of General Jesup to send this man out of the neighbourhood. If he possessed these powers to deal with him as with any other enemy, no man will urge that we are in law or justice bound to pay for him. Admitting, however, for the sake of the argument, that General Jesup had no right to deal with him as an enemy, but that he was bound, under the order of the War Department, to deliver him over as a slave; that he disobeyed this order, and sent him West upon his own responsibility, and in violation of his duty; in such case, I ask, is there a member on this floor who for a moment, would suppose the People bound to pay for a slave taken by General Jesup, in violation of his duty and of positive orders from the War Department?

Every member must be aware that the rules which control a public agent are the same as those which govern in private life. Suppose I employ a man to act as my agent. While he confines himself to the business on which he is authorized to act, I am bound in law and in justice by his contract. Suppose I employ my friend on my right to go and purchase a horse for me: he makes a contract for the horse in my name; I am bound by it, and must perform it. But suppose he purchase a *farm* in my name: no man would suppose me obligated to take the farm.

Military officers are the agents of Government, to do all things pertaining to their office, and which come within the line of their duties. General Jesup was an agent to send out of Florida all enemies of the country; but he was not our agent to send the

Puffendorf, or of any writer upon the law of nations or the rights of government. But the point was adopted by the argument of the gentleman from South Carolina, and perhaps I ought to notice it. For *what* use was he taken? *To* what use was he applied? The gentleman admits the right to shoot or to hang him. Would not that have been as much a "taking for public use" as it was to banish him? The use of sending him out of the country was the preservation of the lives and property of the people. That would have been equally attained by shooting or hanging the negro. But the reply to this is, that he was *property*. Well, I repeat, suppose he had been a rabid dog or a vicious mule, killing people and destroying their property, and General Jesup had shot or chased him out of the country, to prevent him from killing his master or others, would the Government have been liable? I will not argue the point further.

Again: it is said that, by the act of hiring, we admitted the slave to be property, and that the Government is now *estopped* from denying that fact. We are bound to treat all arguments on this floor with respect. But to suppose that this obscure lieutenant, who, perhaps, never read a commentary on the Constitution, and who, I dare say, never dreamed that he was affecting, or doing anything to affect, our rights or our duties: I say, to suppose that his acts would *estop* Congress from maintaining the Constitution, or that such acts would have any weight whatever with this body, is a proposition which I will not detain the House to examine. He was our agent for the purposes of doing his military duty; but we never authorized him to legislate for us, or to give construction to our constitutional rights. Why, sir, I may hire out my son or apprentice or my hired servant; but would that be an admission that they were my *property?* Or suppose I agree that the gentleman from South Carolina [Mr. Burt] shall attend the Speaker to a given place: does that imply that I hold him as property? No, sir; the only fact implied is, that I have a right to receive the wages when the labour or duty is performed, according to my contract. In this case, the claimant agreed that Lewis should accompany the troops, and the officer agreed to pay the master twenty-five dollars per month. The claimant might have made the same arrangement in regard to any freemen as he did in regard to Lewis; and when the labour was performed, he would have the same right to the money. But, in such case, would the Government be obligated to pay him for the body of such freeman? No doubt the obligations would rest upon the hirer that now rest on the Government, and no more.

But the gentleman from South Carolina [Mr. Burt] says, that the act of 1815, levying direct taxes, recognises slaves as property. That law provides, "that such tax shall constitute a lien upon the real estate, and upon all slaves of individuals upon whom said [taxes shall be assessed. My presumption is, that this bill was drawn by some Southern man, who did not reflect that slaves were less property under the Federal Constitution than they were under the laws of the Slave States. The gentleman does not pretend that, at the passage of that law, the question whether slaves were persons or property, was raised, or discussed, or thought of. I need not say that a bill passed *sub silentio* constitutes no precedent. In our courts of justice, the judge takes no notice of questions not made by the parties, nor do the proceedings of a court form any authority on points not raised nor discussed by counsel, nor examined by the court.

The case of Depeyster, to which I referred, was a stronger case than that of the law of 1815. My friend from Pennsylvania, [Mr. Dickey,] as well as myself, stated that that case passed when no one knew it. I knew that my lamented friend [Mr. Adams] and myself both intended to oppose its passage, and we were both watching it; but it got through when we were unconscious of it. Does any man—I will not say lawyer—suppose that its passage constitutes any precedent showing that slaves are *property?* Yet this law of 1815, so far as we know, received no more attention (or at least that part of it relating to slaves) than did the act for the relief of Depeyster. It can therefore constitute no precedent.

The force of a precedent consists in the respect which we pay to the *judgment* of a former Congress. It is therefore necessary, to give a precedent any force whatever, that the *judgment* of the tribunal should have been exercised upon the question, whether it be a judicial or legislative precedent. Thus, in each case that I have cited as precedents, either in this House or in committees, the questions now under consideration were discussed, and deliberation had, and a *judgment* given upon the point before us. Now, sir, let me say, with all due respect to Southern gentlemen, that I challenge them to produce an instance in which this House, or the Supreme Court of the United States, or any respectable court of any Free State, has decided *slaves to be property under the Federal Constitution*, in any case where that question has been raised, discussed, or examined. I desire to see gentlemen come to a definite issue on this subject. I wish to meet them fairly and distinctly.—They must admit that the framers of the Constitution intended to exclude from that instrument the idea that there could be property in man. To that point I intend to hold them. And I call upon them to meet the record of Mr. Madison, to which I have referred. Let them deny that record, or carry out the intentions of the framers of that instrument.

But they say that the clause respecting fugitive slaves, under which Mr. Burt says hold property in them?" I answer, that clause *means just what it says*. It gives to the holder of slaves the right to pursue and recapture them in a Free State precisely as it gives me the right to pursue and retake my apprentice or my son in any State to which he may escape. It no more admits the slave to be *property*, than it admits the apprentice or the minor to be property. I am tired of hearing this clause of the Constitution quoted to prove almost every doctrine advanced by Southern men. Its provisions are of the most plain and obvious character. It merely provides for the recapture and return of slaves, and nothing more.

But my hour has nearly expired. My constituents hold Slavery to be a crime of the deepest dye. The robbing a man of his money or property, or the seizing of his ship upon the high seas, we regard as grievous offences, which should exclude the perpetrator from human associations for the time being. But we look upon those crimes as of small importance, when compared with that of robbing a man of his labour, his liberty, his social, his intellectual enjoyments; to disrobe him of his humanity, to degrade and brutalize him. On this account we protest solemnly against being involved in the wickedness and in the crimes of that institution. To-day we are asked to pay our money for the liberty of our fellow-man. We hold that he was endowed with that liberty by his Creator; that it is impious, and in the highest degree criminal, for a man, or for a Government, to rob any portion of our race of their God-given rights. As the representative of a Christian and a moral constituency, I deny the right of Congress to involve them or me in the support of such crimes. By our compact of Union, no such power is delegated to Congress. By the passage of this bill, we shall become slave dealers ourselves—traders in humanity. The people of our State shrink from the foul contagion. With Mr. Gerry, we hold that "*we have nothing to do with Slavery in the States, but we will be careful not to give it any sanction;*" with Mr. Madison, we hold that "*it would be wrong to admit that there can be property in man;*" and with the signers of the Declaration of American Independence, we hold that it is a "*self-evident truth, that all men are created equal;*" We believe our rights to enjoy these doctrines unmolested by this Government are as clear and indisputable as are the rights of the Slave States to *deny* them in theory and in practice. We claim no superiority of privileges under the compact. We admit them, under the Constitution, to enjoy their Slavery unmolested by Congress or by the Free States. Its blessings and its curses, its horrors and its disgrace, are theirs. We neither claim the one, nor will we share in the other. We will have no participation in its guilt. "It is the object of our perfect hate." Southern gentlemen may continue to misrepresent us, by saying that we seek to interfere with that institution in the States; but, thank God, we have at last obtained access to the public ear. The people of the Free States now understand that all our efforts, politically, are based upon the constitutional right of being exempt from its support. For years I have made it a practice, when I have spoken in this Hall, to guard against misrepresentation, by avowing my doctrines. I am aware of the efforts now making by Northern presses, letter writers from this city, and editors who pander to the spirit of servility, to misrepresent my views, and assail my motives. Sir, let me say to those men, before Heaven, if they will come up to the work, unite their influence, and separate this Government from the support of Slavery and the Slave Trade, and leave that institution where the Constitution placed it—with the States in which it exists—with gratitude to God, and with love and good will to all my fellow-men, I will retire from these halls to the obscurity of private life.

Sir, I may, on the present occasion, disabuse myself of he imputation that I wish to embarrass the friends of the incoming Administration. Those who have done me the honour to observe my course in this Hall for the last ten years, must do me the justice to say, that my efforts here have been against existing evils. I desire to see every member of every party lend his influence to support the Constitution of my country and the rights of humanity. Sir, I war upon no party. I wish to see the people of the Free States purified from the support, the crimes, the contagion of Slavery. I would oppose any member or any party who seeks to uphold the Slave Trade or Slavery by Congressional laws, or lends his influence to continue within this District, or on the high seas, a commerce in human flesh. I know that the sympythies, and consciences, and the judgment of the people are with me. Recent events have demonstrated the power of the truth. Its omnipotence is irresistible. It is rolling onward. No political paltering, no party evasions, no deceptions, no dodging of responsibility, will satisfy the people. No; gentlemen must come up to the work; they must take their position upon the line of the Constitution, and maintain the rights of the *Free* as well as of the Slave States, or they will be overwhelmed by the indignation of a free and virtuous people. General Taylor and his friends will have an opportunity of gaining immortal honours, and of deserving and receiving the gratitude of the American people. Let them at once abolish Slavery and the Slave-Trade in this District, and upon the high seas; let this Government cease to oppress and degrade our race; let us cease to legislate for Slavery; let the powers and influence of Government be exerted to promote human liberty, to elevate mankind in his moral and physical being; and the honours of men, and the blessings of Heaven, and the gratitude of this and of coming generations, shall be theirs. But if their influence be exerted to maintain this commerce in human flesh now carried on in this District, and upon the high seas—to involve the people of the North in these transcendant crimes—then the opposition of good men, the curse of Heaven, and the execrations of posterity, will be their reward!

The Anti-Slavery Standard

Without Concealment---Without Compromise.

NEW-YORK, THURSDAY FEBRUARY, 1, 1849.

Ethnology.

We have just seen the hopes of the friends of liberalism and progress in Central Europe, thwarted in a great measure by foolish disputes about races and nationalities. While the honest men were falling out, the rogues have succeeded in getting what was not their own again. The German Punch has a print representing two men, in different national costumes, engaged in a furious combat, the point at issue being whether the name of a certain town should be pronounced Gratz or Graetz.

When this matter of nationality is reduced to a downright absurdity by setting the inhabitants of two neighbouring villages together by the ears, it affords us only matter for a smile, but it becomes serious when acted on a larger stage and by more prominent players, though abstractly as ludicrous as before.

Almost all races in proportion as they have become powerful and distinguished, have endeavoured to justify their preeminence, as it were, by attributing to themselves a divine or at least a noble origin. Nations, like individuals, when they have risen in the social scale, go immediately to the herald's office for a coat of arms and a pedigree. Had the pilgrims landed at Plymouth a thousand years earlier, their exodus from the land of bondage and their arrival in the Promised Land would have been forerun and accompanied by an abundance of signs and wonders. As it is, we are obliged to content ourselves with vague assertions of our Anglo Saxon descent, the truth being that the settlers of New England, and of those only a very few, can lay any probable claim to such an origin.

We have no especial interest in these assertions of national nobility, except in as far as they have been the cause or the apology of national oppressions. Men are very willing to excuse any unnatural feature in their social system by tracing it up to some inscrutable divine arrangement. Whatever revolts from the natural religion of the human heart they shore up with the props of their artificial and traditional religion. An inferior tribe among the Hindoos sprang from the feet of Brahma, which, of course, explains to general satisfaction why they have always been, and should always continue to be at the foot of the social scale. In the same way the consciences of many excellent people are not so much negatively relieved as positively exhilarated, when they have succeeded in transferring (by anything but a Baconian induction) the wrongs of the African race to the broad shoulders of ancestral Ham. An Anti-Slavery lecturer was formerly pretty certain to be received in a strange place with an entertainment of Ham and eggs (the clergy and people contributing their resrective *quotas*) which kept the promise of hospitality to the ear and broke it to the sense.

When the descent of the negro races from the scriptural Ham had been pretty clearly disproved, and the application of the curse entailed upon his progeny transferred to another race, Pro-Slavery was necessarily reduced to another line of defence. A divine origin was attributed to Slavery by tracing its natural cause to an inability become permanently and physical of the negro to furnish them with arguments more generally appreciable by the mass of mankind than those appealing exclusively to the principles of abstract justice and right. It is worth remarking from how various and unexpected sources the quiver of the reformer is constantly recruited with fresh arrows, and how the investigations of science, prosecuted in directions which seem the farthest removed from every day interests, have yet a practical bearing, more or less decided, upon the humanitary questions of the time.

Ethnology, or the science of races, is of very recent origin, and, dependent as it necessarily must be on glottology (the science of languages) which is also in its infancy, it must generally make its appeals to inferences and probabilities rather than to actual demonstration. Its conclusions may in fact be assumed as incapable of experimental proof, since periods of time quite beyond our ordinary conceptions of duration, as derived from human history, might be required to produce any foretold result. And yet a sufficient number of examples may be found of various kinds, in localities widely separated, and wholly independent of each other, where certain causes have produced certain effects, to establish a firm basis for reasonable induction.

The most comprehensive work on the science of races is that of Dr. Prichard, "The Natural History of Man." It is necessarily somewhat deficient in arrangement, because ethnology is as yet less an exact system that an agglomeration of detached facts all, however, tending to one result, so that it is not difficult for the reader to generalize for himself. Dr. Prichard is a man of great learning, and apparently of an honest and well-balanced mind, not likely to be led astray by theory, nor to form his conclusions in advance of his facts. He gives very full extracts from the accounts of particular tribes of men given by travellers of different nations at different periods of time, so that the reader may form conclusions for himself without being obliged to rely too implicitly upon the conscientiousness of the author.

The instances hitherto collected by ethnological students seem to put beyond question the fact that difference of physical structure, and of the colour of the skin may all be referred to climatic causes and do not in the least countenance the theory of essential diversity of race. The examples by which this proposition is supported are very numerous, are found among all races and in all quarters of the globe, and are to our mind perfectly convincing.

The Jew, transplanted to Poland, becomes red-bearded and blue-eyed In England his complexion grows gradually fair. In the East Indies, on the other hand, colonies of Jewish stock are found who are entirely black, and that without the least proof or probability of foreign intermixture. In China they are described as having approximated very nearly in complexion and feature to the native type. This is a strong argument because the uniform reluctance of the Jews, wherever scattered, to contract marriages with other races, puts the purity of their blood almost beyond dispute and refers us to some other natural causes for a solution of the problem. These natural causes are to be found in difference of climate, habits and food. Of the influence of climate a remarkable example is afforded by the Berbers inhabiting a mountainous region in Africa. Their language, their habits, their history, and their traditions all prove them to be of one unmixed descent, and yet they differ in complexion and some other characteristics in proportion as the particular tribes occupy a position farther from the plain, ranging from yellow hair, fair complexion and blue eyes, to black skins and woolly hair.

☞We have seen the influence of climate upon complexion and the colour and texture of the hair. Changes equally remarkable in the shape of the skull, in the length and general characteristics of the limbs, and in the development and tissue of the muscular system are brought about by the habits and diet of a race, dependent upon the climate or some other circumstances of local condition.—The difference between the Turk settled, for four centuries, in Europe, and the original race still existing in Asia is so great that nothing but the clearest proof deducible from language and authentic history would suffice to satisfy us of their identity. As remarkable are the changes which have taken place in the races at present occupying the western portion of Europe. Not to speak of the entire contrast they offer to this original Asiatic type, it will be enough to allude merely to their dissimilarity in general features from their ancestors as described by the earliest trust-worthy observers.

The most important general conclusion to be drawn from the study of ethnology is that the difference in type exhibited by different races of men is not greater than may be found existing in individuals of the same race subjected for a long period of time to the action of climatic or other physical causes. We may say further that the conclusion to which many inquirers have been led is, that the white skin and not the black is a divergence from the original type, effected either by climate or by the propogation of an accidental variety such as we still find to be produced among races natnrally black.

We wish that Dr. Prichard's work might be reprinted in this country, since the high price of the English edition places it beyond the reach of the great majority of readers. We have some doubts, however, whether such a book would pass the nice censorship of the press which presides over our American republishers. Slavery demands the expurgation of science as well as religion and, like Moliere's "Doctor in Spite of Himself," would change the heart from the left side to the right, if its ends could be served thereby.

An excellent summary of the book may be found in the last number of the *Edinburg Review*, where the reader will also be able to see at a glance the progress of ethnological studies, and the present boundaries of its discoveries. Except for purposes of reference, it willbe more interesting and useful than the original book which we have found to produce some confusion in the mind after a single reading, from the multiplicity of its facts and references.

J. R. L

Sir Thomas Fowell Buxton.

NO. VI.

The year of probation which the Government granted to the Colonies necessarily postponed for a season any action in Parliament upon the subject of Slavery in the West Indies. The attention of Mr. Buxton, however, had been turned to the existence of the Slave Trade in the island of Mauritius, and, in conjunction with Dr. Lushington and Mr. George Stephens, immediate measures were taken by him to bring forward the evidence upon that subject. It was clear enough that the traffic was in a most flourishing condition, and in its most revolting forms, in that island, notwithstanding it had been made a felony by the laws of the realm; but it was nevertheless no easy matter to induce the Government, even in so plain a case, to act against the slave-interest. Mr. Buxton brought the question to the attention of Parliament in the session of '26, and a committee of inquiry was appointed. Their labours, if ever commenced, were arrested by a dissolution of Parliament; and a further motion which he intended to bring forward at the ensuing session—he was again returned for Weymouth—was prevented by an alarming and protracted illness, which threatened to cut him off in the midst of his career of usefulness. It was not till 1830 that this trade in Mauritius was finally repressed.

He resumed his seat and his labours in the House of Commons at the session of '38. The term of trial which had been granted to the West India Colonies had more than expired, and not one of them, excepting Noris, had accepted any of the recommendations of Government toward mitigating the condition of their slaves. But still unwilling to resort to more stringent measures, nothing more decisive could be obtained from the ministry, at this session, than a circular letter from Sir George Murray to the Colonies, repeating the recommendations which had been not only disregarded, but treated with contempt for the five years just passed. It was a step gained, however, that an order in council was, this year, issued, which at the greater one to follow for the whole of the proscribed race. The success of this measure was mainly owing to the exertions of Dr. Lushington.

The history of the three succeeding years is similar to that of the five which had already passed since Mr. Buxton's first motion on the Slavery question in the House. No proper occasion was lost by the Abolitionists to agitate the subject within the walls of Parliament, and outside of them the feeling of indignation at the continued atrocities and determined hostility to the longer existence of West Indian oppression was widening and deepening. The Government alone remained unmoved. It had recommended some amelioration of the condition of their slaves to the planters, at the outset, and counselled moderation and patience to their opponents. It was willing still to recommend, and grew even more earnest, perhaps, in its moderate counsels, but farther than this it would not go, except indeed to retrace its steps. But the Anti-Slavery party only waited to feel itself strong enough in the popular will to compel the Government to that definite and decisive action which clearly, of its own accord, it would ever take. The demand for the amelioration of the system of Slavery was rapidly growing into one for its abolition. The men who in '22 would have been satisfied with a law forbidding the scourging of naked women with the cart-whip, and the prospective freedom of their children, were beginning to broach the heresy of no-property in man, and to proclaim that the only certain protection for the negro against the cruelty of his master was a law changing entirely their relation to each other. Mr. Buxton, who, a few years earlier, had urged the Ministry to adopt a scheme of his own, which would leave every adult slave a slave for life, and give the boon of freedom, only after a term of years, to the children under a certain age, in '28 still, to-be-sure, avows his belief in the wisdom of such a course, but in language which shows that though yet willing to grant much to the fears, and the assumed rights of the slaveholders, he needed but little urging to offer up both as a sacrifice to establish the absolute right of the slave to his freedom. "I would give the negro," he said, in debate, "all that I could give him with security; I would do every possible thing to mitigate and sweeten his lot; and to his children I would give unqualified emancipation. Having done this, I would settle with the planters. I am a friend to compensation—but it is compensation on the broadest scale. . . . . Do you ask compensation for him who has wielded the whip? Then I ask compensation for him who has smarted under its lash! Do you ask compensation for loss of property, contingent and future? Then I ask compensation for unnumbered wrongs, the very least of which is the incapacity of possessing any property whatever. If compensation be demanded, we reecho the demand. It is that which we most fervently desire; only let it be just compensation, dealt out for the many who have suffered, and not confined to the few who may suffer in one particular." Some allowance may be made here for the excitement of debate, but the gradual change which was going on in his mind is nevertheless apparent; and on another occasion, at a later period, when referring to his declaration in '23 that the aim of the Anti-Slavery party was the gradual extinction of Slavery by "slow degrees, first fitting and qualifying the slave for the enjoyment of freedom," he exclaimed, "We did not know, as we now do, that all attempts at gradual abolition are utterly wild and visionary."

And this was rapidly coming to be the popular sentiment. The tone of scorn and defiance with which the West Indians had treated the suggestions and admonitions of Government; the cruel punishments which had been inflicted upon the rebel negroes; the persecution with which the missionaries had been pursued, had, in the course of years, completely turned the tide of popular feeling, which, at one time, as we have seen, was setting strongly in favour of the planters. Such a result was to be expected. "Proceed, then, faster and faster," said Mr. Buxton, in his speech on the case of Shrewsbury, in an apostrophe to the slaveholders, "you are doing our work; you are accelerating the downfall of Slavery. A few more such triumphs, a few more such speaking testimonies to the merits of your system, and the people of England with one heart will abhor it, and with one voice will dissolve it." Both the people and their leaders were becoming restless under the supineness and timidity o the Government. Mr. Buxton's biographer thus sums up this gradual change and progress in the minds of the Anti-Slavery party and its leaders, and its results:

The conviction that Slavery could not be slowly modified, with a view to its ultimate extinction, but must be rooted out, and that speedily; wrought a thorough change in the policy of the Anti-Slavery leaders. They had been lopping the branches; they now struck at the root. In 1823 they had sought to better the slave's condition, by lightening some of his burdens. In 1824, the plan was mooted for the purchase, emancipation, and apprenticeship of the negro children. The next three years were spent in discussions on Smith's death and the treatment of the rebel slaves; on the oppression of the free people of colour; on the non admission of negro evidence; on Shrewsbury's banishment and the destruction of his chapel. During 1828, 1829, and 1830, the Government had been still vainly striving to induce the Colonial Legislatures to begin the work of amelioration with their own hands. But a more stirring time was at hand. The Abolitionist party was grown too strong and zealous to shrink from any measures which its leaders might bring forward. In their minds bolder views had ripened, and needed only to be once spoken out in words, to become principles of action. In May, 1830, a crowded meeting assembled in Free Mason's Hall, with Mr. Wilberforce in the chair. The first resolution, moved by Mr. Buxton, expressed that "no proper or practicable means should be left unattempted for effecting at the earliest period the entire abolition of Slavery throughout the British dominions." It was seconded by Lord Milton, (now Earl Fitzwilliam), who had throughout, supported the cause with all the weight of his station and character, though by so doing he had placed himself in opposition to the administration of which his father was a member. Other speeches and resolutions followed in the same strain, till at length Mr. Pownall rose to declare in a few vigorous words that temporising measures ought at once to be abandoned. "The time," he said, "is come when we should speak out, and speak boldly, our determination—that Slavery shall exist *no longer*." These words embodied the feeling which already pervaded the Anti-Slavery party, and from this time immediate emancipation became its avowed object.

"A meeting held in Edinburgh, in the course of the same year, gave a still farther impulse to public feeling. After an eloquent address from Mr. (now Lord) Jeffrey, urging the meeting to aim at nothing short of "abolishing Slavery at the earliest practical period," Dr. Andrew Thomson broke in with a vehement protest against any further pretexts for delay, exclaiming, "We ought to tell the Legislature, plainly and strongly, that no man has a right to property in man,—that there are 800,000 individuals sighing in bondage, under the intolerable evils of West Indian Slavery, who have as good a right to be free as we ourselves have,—that they ought to be free, and that they *must* be made free!

"These bold expressions excited such contending feelings, that the meeting broke up in confusion, but only to reassemble a few days later, when a most eloquent speech having been made by Dr. A. Thomson, a petition for immediate emancipation was adopted, to which 22,000 signatures were rapidly subscribed."

"If," said Mr. Buxton, three years earlier, "a man had a large share of reputation, he would lose the greater part of it by espousing the cause of the slaves; if he had a moderate share, he would lose all: that is my case and it is just what I like!" "I, like you," he writes to Macaulay, "have my share of slander. . . . No matter; if slander against individuals is the method our adversaries take of justifying Slavery, they will have hard work in inventing lies before they succeed in silencing us." But the time for these things was passing away. The struggle was coming more and more to be with the West India proprietors alone, backed up by the Government, and not with the popular will.

In July, 1830, Mr. Brougham obtained in the House a large majority in favour of ultimate abolition; and a few days later, just before the prorogation of Parliament, Mr. Buxton made an earnest appeal to the electors throughout the kingdom, in behalf of the slaves. Mr. Canning, in 1823, had declared that "the first step towards emancipation should be the abolition of the practice of flogging females." but a decision had recently been made by the Jamaica House of Assembly, that this practice should still continue; and he proved that every other abuse which in 1823 it was proposed to mitigate, still existed [illegible]

In the recess Mr. Buxton had devoted himself, with the assistance of Thomas Pringle and Zachary Macaulay, to heaping together a vast amount of evidence from the West Indian returns, by which he proved, in a powerful speech in Parliament, that Slavery was actually though gradually working to the extirpation of the African race in the West India Islands; that the actual diminution of the slave population, as compared with the increase which should have taken place, amounted, in the ten preceeding years, to 45,000. The speech in which he set forth by argument and evidence, which could not be gainsaid, this appalling fact produced a deep impression, not only in the House but out of it, throughout the country. He concluded by moving:—

"That in the resolution of May, 1833, the House distinctly recognized it to be their solemn duty to take measures for the abolition of Slavery in the British Colonies; that in the eight years which have since elapsed, the Colonial assemblies have not taken measures to carry the resolutions of the House into effect; that, deeply impressed with a sense of the impropriety, inhumanity, and injustice of colonial Slavery, this House will proceed to consider of and adopt the best means of effecting its abolition throughout the British dominions."

The resolution was recinded by Lord Morpeth, and though the debate was adjourned, and no vote was taken upon the motion, it was understood to be the prelude to the speedy downfall of Slavery. "*Mr. Buxton, I see land,*" said O'Connell, and his foresight was not at fault.

The Southern Movement.

We referred last week to the final meeting on Monday evening, the 22d, and stated the result; but we had no room for any details, even had any been received before our paper went to press. We now publish the report of the correspondent of the *Philadelphia North American*. It is probably as correct as it could be coming from a Whig, whose purpose has been to prove that the Southern members of that party have thrown themselves into this deadly breach, and saved the Union. The only real difference however, between the Southern Democrats and Whigs is, that the former are disposed to rely upon themselves, and the latter upon General Taylor.—The correspondent of the *American* says:

The meeting opened with the reading of Mr. Berrien's address by himself, which occupied nearly an hour.—After it had been submitted, Mr. Mason of Virginia, rallied the opposition by an inflammatory appeal, declaring that the paper assumed rather the shape of a petition, than the bold and manly assertion of Southern rights.—He could not lend his sanction to such a proclamation, since its moderate tone was calculated to inspire compassion and not consideration.

Mr. Bayly contended that it was not fair for those who were opposed to any publication to unite in overruling such as were prepared to accept Mr. Berrien's address as an alternative, providing Whigs could be induced to join in its adoption. He called upon gentlemen to declare their purpose, so that all parties might act advisedly.

Mr. Gentry, in answer to this appeal, said he had not changed his original ground. In his view, no address should be published, but he was quite willing that gentlemen, who thought differently, should assume the responsibility, providing they divested it of the character of a combined Southern movement.

Mr. Foote, to the surprise of a majority of the caucus, advocated the address substituted by the Committee, announcing at the same time his conviction, that he would be denounced for separating from the friends with whom he had originally acted. Mr. Hilliard recommended a postponement of all farther proceedings, in order that the caucus might be regulated by the developments in Congress. He named the 23d of February for an adjourned meeting.

Mr. Stephens renewed the motion which General Chapman had proposed in the first General Committee, declaring it inexpedient to adopt any other action than that demanded by their duty as Senators and Representatives in Congress. He accompanied this proposition with the suggestion that there was no more reason for the movement now than there had been a year ago.—Indeed, there was less reason, from the events that had transpired since that time.

Mr. Bedinger took a poetic flight, according to his fashion, and described Mr. Calhoun's address as leaping, full-armed, from the brain of its author, like Minerva from the brow of Jove.

Mr. Iverson was willing to see the substitute adopted, but he feared it would be unavailing. Still he desired to show the people of the North that the South was anxious for moderate measures. If this appeal failed, then he stood ready for the last remedy. Mr. Morehead inquired, if the Wilmot Proviso should be adopted whether he would go for dissolution. 'Yes,' said Mr. Iverson, and applause followed from the Loco-Focos, in which Mr. Butler of South Carolina, Mr. Venable and others joined with manifest exultation.

Mr. Rhett regarded Mr. Berrien's address as a remonstrance, unequal to the crisis. The medicine was too weak for the disease. South Carolina had taken her stand and would maintain it—if she stood alone. Now was the time for vigorous action—that for moderation had passed.

After these addresses and others, a division was taken on the motion submitted by Mr. Stephens, which was laid on the table by 55 Ayes, against 19 Nays.

Mr. Foote then attempted to revive his proposition, before a direct test was had, allowing such members as saw fit to sign the address, the privilege of issuing it in their own names. But Mr. Berrien persisted on a positive trial of strength and his address was rejected by 26 Ayes opposing 33 Nays.

Then came the tug of war on the original Manifesto, which was carried amid evident sighs of confusion, by 32 to 19. The Secretary reported 36 to 19, but erroneously, as the roll will show whenever closely scrutinized. Mr. Gayle of Alabama, voted with the disunionists, and enjoyed the honour "solitary and alone." Mr. King of Alabama, Mr. Cobb, Mr. Iverson and Mr. Lumpkin of Georgia, Mr. McKay of North Carolina, and other Loco Focos refused to respond. Mr. McDowell of Virginia, voted Nay, and perhaps there were a few others.

It is worthy of remark, that the vote on Mr. Calhoun's address is about *one-fourth* of the whole Southern strength in Congress. This needs no commentary. Thus has ended a movement, originated and conducted to destroy the peace and permanency of this glorious Union. All honour to the noble Whigs who have borne themselves so gallantly and faithfully throughout the contest!

Indisposition prevented Mr. Calhoun from witnessing his defeat

The address of Judge Berrien has not yet been published, but the correspondent of the *Philadelphia Pennsylvanian* gives the following as the spirit of it:

It commences with a recapitulation of the circumstances attending the formation and adoption of the Constitution, its compromises, &c. and the fact is stated that its preservation is considered of vital importance by both the North and the South.

It declares that members of the Convention, as citizens, and not in their representative capacity, here at Washington assembled, where they have the opportunity of observing events, cannot shut their eyes to the fact that an alarming state of things exists, and to feel themselves impelled to make this address to the people of the Union.

The address then goes on to speak of the effects of the slave agitation upon the Southern people whose interests are so directly involved; and in that connexion commences a history of the agitation of the question in Congress, very nearly in the words of the address as prepared by Mr. Calhoun.

This history begins with the Missouri Compromise, and dwells particularly on what the South deems a virtual nullification of the Constitution in the matter of the recovery of runaway slaves.

It recapitulates all the recent movements in the House of Representatives, in connection with Slavery.

It abstains from all offensive charges as to the motives of Northern men in voting for their various propositions, and which, in the address as prepared by Mr. Calhoun, were understood to have for their object the emancipation of the slaves in the States.

But as one of these propositions (Mr. Gott's) assumes that Slavery is a sin, a disgrace, at war with the spirit of our institutions, &c. the apprehension is expressed that, should Slavery be excluded from all the new Territories, and new Free States be formed, the number of Anti-Slavery thus added to those of the present Free States, when created, in all probability will abolish Slavery in a few years, will constitute a number ("three fourths") sufficient to alter the Constitution, so as to give to Congress the power which it does not now possess.

Regarding this in the light of Mr. Gott's resolution, it is feared, and so expressed in the address, that the Representatives of those States will feel themselves bound to exercise this power, and alter the Constitution.

All the objections raised in the Convention on Monday evening, it has been the object of Mr. Berrien to obviate. Among these was that raised by Mr. Toombs, to the doctrine of Mr. Calhoun, that Congress has no right to legislate, in any way or for any purpose, in regard to Slavery.

Mr. Toombs contended that the action of Congress is essential to the introduction and protection of Slavery in the Territories, inasmuch as it does not exist by the present laws; while Mr. Calhoun's Address expressly denied any authority of Congress to legislate at all on the subject.

As modified the address expresses no opinion whatever on this subject, merely alluding to this difference of opinion, and expressing the hope that some measures will be devised by Congress, in regard to the District of Columbia, to remove all cause for future agitation of the question [illegible] patriotism of the people of all sections of the country, to exercise all the moral influence they may have upon public sentiment—to do full justice to every portion of the Union, and to prevent the consummation of measures which it is thought will result so disastrously. It urges them farther to abandon all party and sectional considerations, and to turn their attention to the adjustment of this question in such a manner as will secure the peace of the country and the perpetuity of the Union.

The address of Mr. Calhoun has been published entire in the Union, but a synopsis of it only has been yet received here. That which is sent by Telegraph, is as follows. The address in full we shall publish next week.

Mr. Calhoun's address to the people of the Southern States, on the subject of Slavery, is published in the *Union* of this morning, and occupies four columns of that paper. It opens with a history of the wrongs the South has sustained in the obstacles thrown in the way of reclaiming fugitive slaves, by State legislation, in defiance of the explicit guaranty of the Constitution.

Then follows a history of the aggressions attempted upon the Southern institutions at the time of the Missouri compromise.

The address proceeds to describe the gross inequality and injury effected by the Wilmot proviso, and calls the attention of the people to other unwarrantable measures which have been agitated during the present session of Congress. The following is the conclusion of the address:—

"With such a prospect before us, the gravest and most solemn that ever claimed the attention of a people, the question for us to consider is, what is to be done to prevent it? It is a question belonging to you to decide. All we propose is to give you our opinion. We, then, are of opinion that the first and indispensable step, without which nothing can be done, and with which everything can be done, is union among ourselves, on this great and most vital question. The want of union and concert in reference to that has brought the South, the Union, and our system of government to their present perilous condition.

"If you become united and prove yourselves in earnest, the North will be brought to a pause, and that may lead to change of measures and the adoption of a course of policy that may quietly and peaceably terminate this grand conflict between the two sections, if it should not, nothing would remain but for you to stand up immovably in defence of rights which involve our property, prosperity, equality, liberty and safety. As the assailed, you would stand justified by all laws, human and divine, in repelling a dangerous blow without looking to consequences, and resort to all means necessary for that purpose. Your assailants, and not you, would be responsible for consequences.

"Entering these opinions, we earnestly entreat you to be united, and for that purpose to adopt all necessary measures. Beyond this we think it would not be proper to go at present. We hope if you should unite with anything like unanimity, it may of itself apply a remedy to this deep seated and dangerous disease. But if such should not be the case, the time will then have come for you to decide what course to adopt."

The vote on adopting the address was 42 to 17. The following are the nays:

Messrs. Berrien, Metcalfe, Underwood, Rusk, Houston, Pendleton, Preston, Clingman, Toombs, Stevens, Hilliard, Morehead, Cobb, Cabell, Roman, Chapman.

Mr. Berrien's address is pretty much the same, only rather more moderate, and is addressed to the people of the United States, whilst Mr. Calhoun's is addressed to the South exclusively. The concluding part of Mr. Berrien's is altogether different from the extract of Calhoun's above quoted.

Judge McLean's letter, referred to in the Congressional Report, written in consequence of the attack upon him by Hangman Foote, of Mississippi, is as follows. It first appeared in the *National Intelligencer*.

To the Editors: Respect for the Senate, where remarks were made abusive of myself on the 18th instant, induces me to make the following statement:

The first accusation was, that I have said "that our 'institutions will never be well and wisely and success-'fully maintained and administered until what he is 'pleased to call moral influence can be brought to bear 'upon the Government; who dares to denounce the 'selected candidates of the great political parties of the 'country as mere prize-fighters." The term "prize-fighters" was never used by me in reference to any individuals; the thought of making the application to the late candidates for the Presidency never entered into my mind.

The second accusation was, that I "urged upon Con-'gress that no more pecuniary supplies should be voted 'for the maintenance of this war, in order that the 'Government might be forced, for want of the means 'of war, to withdraw our victorious armies from the 'enemy's country in disgrace," &c. I never uttered such a sentiment to any one. My friends know that I was opposed to the withholding of supplies.

The third accusation was, that I "undertook to ad-'judicate a question before it had yet been submitted 'for decision, and which he [I] well knew was more 'than likely to be presented for decision in the Court 'where he sits, with others, for the discharge of high 'judicial duties," &c. This, I suppose, refers to a letter written by me last Summer to four or five gentlemen at Cleveland, in Ohio, who urged me to permit my name to be brought before the Buffalo Convention. In declining that honour, and in answer to other points of the letter, I stated, as nearly as I can recollect, (my letter not being before me,) that "Slavery existed by virtue of the local law, and consequently could not exist without the sanction of law." This had been settled by several Judicial decisions, and I supposed was doubted by no one. In the case of Graves and Slaughter it was recognized by the Judges, following the lead of my opinion; and it was held that the commercial power of Congress did not extend to the Slave Trade among the States; that Congress had no power over the subject, and that it belonged exclusively to the respective States. As a political question which can never come before the Supreme Court, I expressed myself opposed to the extension of Slavery.—This, so far as I can recollect, was the substance of the communication.

The gentleman to whom the letter was addressed, so far as I remember, did not represent others, and I did not consider the publication of the letter as necessary. It was not written with that view, but there was no restriction as to its publication.

Some two or three other letters were written in answer to letters received, and were published without my permission and against my wishes. This is the first letter, so far as I now remember, that I have written for publication within the two last years. As a citizen, I claim the right, and shall exercise it, of forming and expressing my opinion on public measures.

JOHN McLEAN.

January 20, 1849.

Dante.*

Ahi quanto mi parea pien di dis degno!—L'Inferno.

Sad Bard! while thus I gaze in silence now,
And thoughts of destiny within me rise,
On the calm sorrow of thy mournful eyes,
And grief serene that lights thy lofty brow,
I know that of time's solemn ages thou
Art one of those great central souls likewise,
Round which the paler orbs, through golden skies,
Went circling in that radiance wide—and how
They learned the lofty anthem, grand and deep,
Who listen to its swelling strain may tell;—
Thou with the suffering couldst not choose but weep
Having so deeply drank at Sorrow's well,
Yet look'st as in surprise that will not sleep
That unto man there is a fate so fell.

It never was for thee to bend thee down
Before the power and grandeur of the great,
Spurning the outcast in his low estate,
To bow before the mitre and the crown;
Far in the dusky past with twilight brown,
I see thee bearing up against thy fate,
Though poor, and exiled, and quite desolate,
Unmoved by courtier's smile or monarch's frown.
Though ours is not that sel

menced their annual meeting in Faneuil Hall yesterday.—During the day time Francis Jackson presided, and in the evening the chair was occupied by Edmund Quincy, the gentleman who, in the spirit of modern martyrdom, resigned his commission as a justice of the peace, because it bound him to support the Constitution of the United States, which recognizes Slavery. The Secretaries were Miss Eliza J. Kelley, of Salem, and Samuel May, jr. and Cornelius Bramhall, of Boston. The speakers were Wendell Phillips, G. W. F. Mellen, S. S. Foster, Mrs. Abbey Kelley Foster, and William Brown, a fugitive slave. Much of their talk was about the Free Soil party, whose purposes fall far short of the mark aimed at by the Society.

In the evening, the fugitives William Crafts and his pretty little straight haired wife, whose flight from Georgia has been noticed in the papers, were conducted to the platform and presented to the audience. The exhibition created quite a sensation. Brown read an account of their escape, by the almost white Mrs. Crafts donning male attire, and passing as the invalid young master of her husband, who is a thorough blood African. Brown, as master of ceremonies, managed matters with dramatic effect. After showing off the points of the interesting couple, he propounded the following questions to the audience: "All those who would be willing to help to restore these two persons to Slavery will please to say aye." An individual seated in one of the rear settees responded "aye" very distinctly. Brown proceeded—"All those who would stand by peaceably and see them taken away to be carried back to Slavery will please say aye." No response. He then said: "All those who would protect them against an attempt to take them back will please say aye." The response to the affirmative was pretty general. The "contrary minded" was not put. An elderly lady asked Crafts if he had "over heard of our Anti-Slavery Society." He replied that he had not heard it spoken of. He was obliged to answer in the same discouraging terms several similar questions asked by male members. He had not heard the Anti Slavery cause spoken of, he said, although he had been much among people who originally came from the North.

The number of mere spectators in attendance yesterday was small, and the regular proceedings of the day excited no interest. The meetings will be continued throughout to-day and to morrow.—*Boston Post, 25th.*

Second Day.—The discussions of this body were resumed in Faneuil Hall yesterday. In the forenoon the speakers were S. S. Foster, Abby Kelly Foster, his wife, Joshua T. Everett, Mr. Osgood, of Salisbury, William A. White, of Watertown, and William L. Garrison of Boston. The subject was the amount of approbation which the Free Soil party are entitled to. Mr. and Mrs. Foster were disposed to think that the organization of the Free Soilers would prove injurious to the Anti-Slavery cause. G. W. F. Mellen could not get a chance to present his views, but Abby Folsom got in several sharp sentences edgewise against all political organizations.

After dinner, resolves were passed, recognizing the Free Soil movement as affording evidence of the growth of abolition sentiment, and the marshalling of the North against the South; but also declaring that the Society cannot sink the experience of twenty years to suit the views or wait the infant movements of those who have just awakened to the justice and importance of the Anti Slavery enterprise. The officers of the Society for the past year were reelected for the present.

The Business Committee reported a resolution against the Church, as cold, corrupt, and indifferent to human rights.

After several speeches, none being exactly against the resolve, it was laid on the table, and another was submitted, declaring in effect that it is only by the application of the "root of all evil" to the "root of Slavery's tree" that the latter can be prostrated. Therefore, the true friends of Freedom and Humanity were called upon to come forth liberally with the California crumbs. The speakers were the same as in the forenoon, with the addition of Henry C. Wright, and the exception of Abby Folsom and Dr. Mellen. The subject of Free Soil was irregularly introduced into the discussions.

The discussion was kept up in the evening, and the money-resolve was passed. The anti-Church resolve lies over for to-day.

Miss Eliza J. Kenney, the fair, amiable and accomplished Secretary, labours with indefatigable activity, and with perfect success, in keeping the run of the erratic proceedings.—Her business tact as a scribe is only equalled by her cheerful courtesy to those who have occasion to commune with her in her official capacity.—*Ibid, 26th.*

Of the proceedings of the third day we have seen nothing excepting the passage of the two following resolutions, which we find, with a brief notice, in the *Boston Journal* of the 27th.

Resolved, That the one great object to be attempted and achieved, to secure the emancipation of our enslaved countrymen—to assert and protect the rights of the people of the North—and to impose the awful criminality involved in the slave system exclusively upon the incorrigible tyrants of the South, is the *immediate dissolution of the American Union*—a Union based on the prostrate bodies of three millions of people, and cemented with their blood—a Union which gives absolute power and perfect security to the wholesale traffickers in human flesh, by its combined military and naval power, and the overthrow of which would inevitably burst asunder the chain of every bondman—a Union in which freedom of speech and of the press, the right of petition, and safe and equal locomotion, are cloven down, and the citizens of one portion of the country are seized for no alleged crime in another portion, hurried to prison, kept in chains, plundered of their property, and in numerous instances sold on the auction block at public vendue, as slaves, in lots to suit purchasers.

Resolved, That in openly and unequivocally advocating Slavery as a just, beneficent and Democratic institution, John C. Calhoun of South Carolina ought to be commended for his frankness and directness; that for his earnestness, consistency, intrepidity and self-sacrifice, in defending and seeking to extend and perpetuate what he thus professes to regard as supereminently excellent, he is equally to be commended; and that he stands in honorable contrast, and is incomparably to be preferred to those Northern time-servers and dough-faces who professedly look upon Slavery with abhorence, and yet are found ever ready to compromise the sacred principles of liberty, to betray the rights of the people of the North, and on bended knees to worship the slave power of the South.

Case of an Alledged Slaver.

The bark Ann D. Richardson, taken in charge of Lt. Sinclare, arrived at this port on Friday last, in charge of Lt. Sinclare. Chas. W. Storer, the master of the vessel, was arrested the next day on a charge of being engaged in the Foreign Slave Trade, and his trial commenced on Monday. We copy the Tribune's report of the proceedings of the first day.

UNITED STATES COMMISSIONER'S OFFICE—Before Commissioner Morton—Capt. Charles W. Storer, of the bark Ann D. Richardson, taken in charge, off Rio Janeiro, by the United States brig Perry, and sent to New York, already referred to, was brought up for trial yesterday.

Lieut. George T. Sinclare, the officer who was placed in charge of the bark, stated that he was 1st Lieutenant of the Perry, stationed on the coast of Brazil; first saw the bark Ann D. Richardson in the latter part of September or beginning of October, when she came into Rio; she was reported from New York; on the 14th December I saw a letter from the United States Consul, to the commander of the Perry, (Lieut. Davis,) informing him that [objected to.] In the afternoon the Perry got under way for the purpose of following the A. D. R. and boarding and examining her, she also being under way, but she anchored at Fort Villaignon, and the Perry also came too; very soon after coming to an anchor we observed a very large steamer going down to take the bark out; we got under way again, but the steamer returned, and we anchored at the mouth of the harbour, to be ready to intercept the A. D. R.; next morning at daylight she got under way, as did also the Perry; sometime in the afternoon, having got beyond the jurisdiction of Brazil we shortened sail to let the bark come up with us; she was ordered to heave too, for us to board, which she obeyed; I was sent on board with instructions from Commander Davis to make thorough examination of the vessel and papers, and ascertain her true character; found she was sailing under a sea letter from the Consul, Mr. Fox, directing she should proceed to the port of New York, and it might have said to some other port; accompanying the letter was a protest against the proceedings of the Consul in this case; I then proceeded to muster the crew of the bark, with her crew list; I questioned the crew as to their destination; from the information I received, connected with a paper which I found among Captain Storer's papers, I deemed it my duty to take temporary possession of the vessel till I had further orders from my commander; I took the paper on board the Perry and it was deemed satisfactory evidence to seize the bark.

The paper was then produced and read. It was as follows:

RIO DE JANEIRO, Dec. 15, 1848.

DEAR SIR: You will conduct the voyage you are about to commence as master of the Ann D. Richardson, in conformity to the charter party which you have in your possession. You will sell the bark on the coast of Africa, taking bills of exchange drawn on Manuel Pinto de Tonsera, payable to my order for 15 000 dollars. Wishing you a safe and pleasant voyage, I remain

Your obedient servant, JOSHUA M. CLAPP.

CHAS. W. STORER.

Witness—When I went on board I asked the captain to show me his papers; I told him I was ordered to board and examine his vessel; his reply was for me to walk into the cabin; he handed me his sea letter, crew-list, manifest, and one other paper, (the letter here shown not among them,) and said they were all he had; it appeared from the sea-letter that she was bound to New York, and all appeared to be right; but on mustering the crew, and having evidence that she was not going to New York, I examined farther, and found the letter alluded to; from the examination of the crew I was satisfied there was sufficient to detain the vessel, but determined, before doing so to proceed still further; I made a cursory examination of the cargo, and then proceeded to search the cabin; I sent to the captain for his keys to search his baggage; he sent the keys, but did not appear himself; sent them by the steward; I ordered the steward to be present and see the search proceed; we opened the desk and among the very first papers took out was the letter of Mr. Clapp; I deemed that, in connection with the rest, sufficient ground to seize the vessel, which I did till I received instructions from my commander; after opening the desk, and I had examined two or three of the papers, Captain Storer came down and objected to my examining his desk; he did not know, he said, what right I had to do it; he did not object to my opening the desk till after I done so. After taking the letter of Mr. Clapp to Captain S. from the desk, I locked the desk again, and placed it in another room, under charge of a sergeant of marines, with orders not to let any one but officers of the P. see it. During the night a prize crew was put on board, and about two o'clock in the morning I filled away. Next morning, after breakfast, I sent for Captain Storer, and told him I wished to take an inventory of what was in his desk, to deliver, on his arrival, to the civil authorities. He asked me to let him look at some of the letters first. I consented, but observed he put some of the papers in his lap under the table. I told him I could not allow him to take possession of those papers, that they were the property of the law, just as they were found. He replied that there were some papers which he would not allow to be delivered up; that they did not belong to the case, and he would destroy them. He said I might read them before he destroyed them. I told him all of them must be delivered up. He said he would not give them unless he was forced to do so. I told him he must be aware I was ready to use force if necessary. He still persisted in keeping them, and I ordered a party in and took possession of them by force—then locked and sealed the desk, as it is now. The letter of Mr. Clapp was among those in the desk, and might have been among those he detained. He seemed much agitated when he first read the letter. It was dated that morning. Mr. Clapp had accompanied the bark as far as five or six miles out of the harbour. Saw a boat towed after the bark, and when it left there appeared to be two persons in it besides the oarsmen. Understood one of them to have been Mr. Clapp. There were several barrels of rice on board, also beef, &c.—there was no more water than sufficient to supply the crew for about three months, no arms, except some five or six pocket pistols, and no manacles. There was a small quantity of lumber. The letter here shown was also found in the desk. [It was a letter, unopened, directed to Otis W. Clapp, No 819 Broadway, New York. The letter was not opened by the Commissioner.

Captain Storer complained, during the passage, of the voyage having been broken up, and said he wished he had gone to California; told him it was really strange, if he really had been bound to New York, that he should say the voyage was broken up, as I was carrying the vessel there, [referring to the sea letter;] Captain S. never told me individually he was bound to New York; avoided conversation with him as to the voyage; the papers found in the desk were in number 124 or 127, as marked; from what I observed of Captain S. on the passage home, had a good opinion of him. [Captain S. and Mr. Dennis, his first mate, who is also under arrest, are young men; Captain S. belongs to Eastport.]

The examination will probably be continued on Wednesday.—Mr. Shepard, United States Attorney, appeared for the United States.

ABOLITION IN THE DISTRICT.—The Washington Correspondent of the *Evening Post* says that Major Gaines had been induced by the remonstrances of some of his Whig friends to desist from his purpose of laying before the House the petition of the Common Council relative to Slavery in the District. The Congressional reports, received by Telegraph, had announced that the petition had already been offered, but this doubtless is a mistake. The Correspondent of the *Post* further says that to his request to examine the petition the clerk of the House had replied that it was not in his possession. It is not at all unlikely that it will not be heard of again this session. There seems to be no slight difficulty in getting at any document in Washington which touches in any way, upon the subject of Slavery. The same writer referring to the domestic Slave Trade in a recent letter says:

Since the matter has been forced upon the public attention by Mr. Gott's announcment in the House, there has been much inquiry as to the past action of Congress and other public bodies, in respect to that traffic. In 1816 various petitions and papers upon the subject were referred to a committee, of which John Randolph was a member. The committee made an elaborate investigation, and took a great deal of valuable testimony, which was communicated to the House with the report. It was upon this evidence that he pronounced the traffic carried on here a disgrace to humanity. Search has been made for this interesting document by members of the House, and though there appears to be no other remarkable deficiency in the completeness of the records of the House about that period, it cannot be found. This reminds me of a similar deficiency discovered through the investigations of Mr. Dix to exist in relation to the contested question of the opinions of the members of Mr. Monroe's cabinet, on the constitutional ity of the Missouri Compromise, by which Slavery was to be forever excluded from certain territories of the United States.

There is very good evidence that Mr. Calhoun's opinion was given in writing, that it was deposited in the State Department, but that it is not now to be found there. The fact that Mr. Calhoun did express an opinion in writing is supported by the evidence extracted from the private papers of President Monroe, in the possession of his son in law, Samuel Gouverneur, by Mr. Westcott, of Florida, and published in his speech on the Oregon bill lately published.

☞ The Boston *Chronotype* publishes a sermon preached in a Universalist Church in Boston by the Rev. J. G. Forman in which we find some truth as rare in the *Chronotype* as it is in sermons. The passage we refer to is as follows:

The American Revolution broke the yoke of British misrule and oppression, and made us an independent power. But it left a worse oppression, and a deeper wrong among us than we have ever suffered from British tyranny. It was the means of a compromise with the most sinful and inhuman oppression that ever afflicted mankind; in which we ourselves became the oppressors, and fastened upon our country the foulest blot that ever disgraced an enlightened nation. While we uttered the great truth that "All men are created equal, and have certain inalienable rights, among which are life, liberty and the pursuit of happiness," we riveted the chains of Slavery upon thousands of our fellow beings, as much entitled to those rights as ourselves. We left the unholy relation of master and slave undisturbed, and afterwards covenanted with the oppressor that it should ever remain so. For considerations we consented that those who were thus held in bondage should be reckoned in the basis of representation in the Government, whereby the slaveholder is enabled to strengthen his hand- in oppression. We also covenanted to return the fugitive, escaping from his oppressor, to bondage again; so that in all this free and favoured land, there is not a spot on which the slave can stand and say, "I am free; I am a man." These are what have been stigmatized as a "covenant with death, and an agreement with hell,"—with how much justice, I leave you to judge.

☞ HENRY CLAY has accepted the nomination of the Kentucky Legislature to the United States Senate.

GENERAL CASS has been finally chosen by the Michigan Legislature to the United States Senate, by a small majority.

HON. H. S. CONGER M. C. will accept our acknowledgements for a copy of a map of the siege of Vera Cruz.

☞ We are indebted to HON. HORACE GREELEY for a copy of the excellent speech of Mr. Giddings on the Pacheco case, which we copy on the first page of this week's paper.

To Correspondents.

J. F. We strongly advise him to remain where he is. Here there are a great many more than can find work, and many more who are glad of a chance to labour for bare bread and a scanty share of it. A young man who comes into a city like this from the country, without the assurance of work before hand, does a most foolish thing.

P. P. of U. We must decline his communication simply because its subject is one which the *Standard*, as an Anti-Slavery journal, is not expected to discuss,—one which in good faith with its readers it has no right to discuss. P. P's two dollars a year entitle him to *read* the paper, but his right to *write* for it, is of course subject to the discretion of its editor.

Congressional.

THIRTIETH CONGRESS

Second Session.

SENATE—Jan. 23—Mr. Foote again attacked Judge Mc Lean, making the letter of the Judge his text. Some debate enaued between Mr. Foote and Mr. King, who objected to the course of the former, and Mr. Corwin, who defended the Judge.

Mr. DIX called up his bill to admit the Agricultural Productions of Canada on terms of reciprocal freedom, and addressed the Senate in support of it.

HOUSE.—The Civil and Diplomatic bill was taken up, and an attack made by Dr. Edwards of Ohio upon Mr. Greeley for his course in regard to mileage and the books, in which the former proved nothing but his own ill temper.

SENATE—Jan. 24.—Mr. DOUGLAS' Californiabill—admitting her as a State—was taken up, and after some discussion, referred to a committee of seven.

HOUSE.—Mr. WASHINGTON HUNT, of New York, from the Committee of Commerce, reported a bill to extend the Revenue Law of the United States over the Territory of Upper California, the provisions of which are as follows:

The first section extends the Revenue Laws of the United States over the whole Territory of Upper California.

The second section provides that the whole Territory shall form one Collection District with a port of entry at San Francisco, and a Collector to be appointed by the President, with the advice and consent of the Senate.

The third section provides that Monterey, San Diego, and a point at the head of the Gulf of California, at the intersection of the rivers Gila and Colorado, shall be ports of delivery, and that the Collector shall appoint three Deputy Collectors to reside at those ports.

The fourth section fixes the salaries of the Collector at $3,000 and of the Deputy Collectors $1,000.

The fifth section provides that all questions of law arising in reference to the Revenue laws may be adjudicated before the District Court of Louisiana or the Supreme Court of Oregon.

The sixth section provides that the act shall go into operation from and after the 10th of March next.

The bill gave rise to some discussion for it and against it, when a new turn—or rather, the old one—was given to the debate by Mr. ROOT of Ohio, who having obtained the floor said he was not surprised that Mr. Hunt, as Chairman of the Committee on Commerce, should look after the revenue and commerce of the country, but he should be much surprised if the House were to act upon any measure relating to California, without considering first the most important matter, and which, he thought, no bill relating to it could pass without, to wit: the incorporation of the Wilmot Proviso. He thought, when the time came, his friend from New York would discover that they would find some way in which to affix it even to this bill, or to the bill to appropriate money to pay for this Territory. He did not wish to agitate the debate, but for the purpose of affording an opportunity to put the question—

Mr. HILLIARD hoped the gentleman would afford him a moment before moving the previous question to explain.

Mr. ROOT said he was so tender-hearted he could not refuse.

Mr. HILLIARD said that, with all due respect to the gentleman from Georgia, (Mr. Stephens,) which he was proud to manifest on all occasions, he desired, if it could be done on honourable terms—honourable both to the North and the South—he desired, if it could be done on such terms, to secure that territory, the embryo of a vast nation commercially and politically, for the honour and glory of the United States. He was in hopes that the decision anticipated by Mr. Root would not be arrived at. It would be unjust and degrading to the South, and he hoped that tranquility might be preserved, that a better feeling would prevail. When the Appropriation bill to pay for this territory should come up, he desired to say he should vote for it, and he hoped it would pass without any such provision attached, which would be unjust to the South. Such legislation must disturb the tranquility of the Union and destroy the fraternal feeling now existing.

Mr. GRINNELL, of Massachusetts, here called Mr. H. to order, and

The CHAIR deciding the remarks were not strictly in order,

Mr. HILLIARD took his seat, protesting that the same justice ought to have been meted out to Mr. Root.

Mr. ROOT said he was sorry that his friend from Alabama had been interrupted. He would not have interrupted him if he had only left him two minutes of his hour.

Mr. HILLIARD said he was just about to conclude

Mr. ROOT continued. There was only one thing more ridiculous than this kind of threatening, and that was to feel any alarm on account of it. He was in favour of the motion of Mr. Petit, because he thought the bill was defective, and he wished to embody it in the essential provision with respect to the restriction of Slavery. They had got the Territory, and the question was now whether they should pay for it. They could not restore it. They could not give it back in the state in which they got it, and now the question was whether they should pay for it. He moved the previous question.

Mr. STANTON of Tennessee, and Mr. McClernand of Illinois, wished it withdrawn, that they might make remarks, but

Mr. ROOT said he must leave the matter with the House, for if he were to withdraw it he would not only be wasting his own time but also that of the House.

There were several calls for the yeas and nays on the question being divided, the bill was first referred to the Committee of the Whole, and then ordered to be printed.

Mr. DUER then moved to reconsider the motion to refer, and said, after making a brief explanation of his position, he should move to lay that motion on the table. He concurred in the general spirit of the remarks of the gentleman from Georgia, but he would not say he would not vote the money to pay for the Territory. He thought justice to Mexico required they should do that. But he would not vote for any bill which would recognize that Territory as part of the United States. He thought he was under no Constitutional obligations to do so, for he believed the Senate alone could not, by their action, bring a Territory into the Union. It required the concurrent action of the two Houses. If, therefore, he believed the consequence of reorganizing this Territory would be a dissolution of the Union, he would in such a case—even supposing the Constitution required him to disregard the Constitution—vote under his oath to preserve the Union. Hitherto the Whig party had been united on this question of not recognizing Territory in this position as being in the Union. It might become necessary for patriots from all parts of the country to reserve the question at least until the Territorial bills had been definitely acted upon.

Mr. STUART of Michigan interrupted and wished to know if he had not voted in the Committee on Territories to report the bills now before the Committee of the Whole.

Mr. DUER—What has that to do with what I am saying? I say, I will not recognize this Territory indirectly, until those bills have been acted upon. He did not, however, rise to make a speech, but merely to indicate his position. He hoped that the ancient position of the Whig party would be retained. He valued the Union as it is, and desired it to be preserved. He moved to lay the motion to reconsider on the table, which was carried.

On the 25th the debate on the Army Appropriation bill was continued, and a violent Pro-Slavery speech made by Mr. Thompson of Indiana. Mr. Smart of Maine—Democrat—spoke on the other side, and his speech is reported as one of the strongest of the season.

New-York Assembly.

FUGITIVES FROM LABOUR.

Sketch of the Debate on the Bill "Further to Protect Personal Liberty."

[Reported for the Albany Evening Journal).

SENATE—Jan. 19, 1849.

The question was on agreeing with the report of the committee of the whole on the bill.

MR. BUSH, although he had not participated in the debate on this bill, would not ask delay on his account. In reading the clause of the Constitution, which he thought conflicted with this bill, he had formed an opinion, on which he felt bound to act, unless he should be convinced he was in error. As he understood the bill, it not only prohibited every citizen from aiding or assisting in detaining a fugitive from service, but all officers of this State from issuing or executing such process. It imposes a penalty upon any citizen who shall carry out, or attempt to carry out, certain acts of Congress; or who shall carry out, or attempt to carry out, what he regarded as a plain provision of the Constitution. The idea of making it criminal for a man to aid in carrying out the supreme law of the land—for doing what every citizen of the Republic has agreed to do, was to him a novel and a monstrous proposition. This was all there was of this question. The people of this State, through their representatives in convention, when the United States Constitution was formed, agreed to do just what it is now proposed they shall not do. The provision on this subject is as follows:

"No person held to service or labour in one State, under the laws thereof, escaping into another, shall in consequence of any law or legislation therein, be discharged from such such service; but shall be delivered up, on claim of the party to whom such labour may be due."

This proposition conflicts directly with the bill before us. There are citizens in this State who own slaves in Maryland and Virginia. Supposing such a citizen finds one of his slaves in this State and claims, and attempts to detain him—by this law he would be liable to fines and imprisonment. What would be the result? He would say, here is my defence and warrant in the Constitution of the United States. More than that. The laws of Maryland authorized him to control the action of his servant, and by the Constitution, we are bound to regard those laws. He would tell the State tribunals that they had no business to discharge his servant from service. You cannot change the relation between us if the Constitution says you shall not. This section was precisely in the same language as that in regard to fugitives from justice, and there was just as much right and propriety in a law declaring our State officers had no power to deliver up such fugitives as to pass that. The language is almost identical. Again, this Government had treaty obligations relative to fugitives from justice. Suppose the Colonial authorities of Canada should refuse to carry out that law, what would be the result? The act being a violation of the treaty, application would be made to the British Home Government, who would doubtless require its fulfilment on the part of the Colony. Just so were our relations with Congress. But without entering further on this discussion—fugitives from our service now were as fully protected as any other class of citizens in the State, and he saw no necessity for passing a law for the protection of one class of citizens more than another. All should be equally protected as far as the Constitution protects them—and if that fails, we cannot invalidate it. The question as to the justice or propriety of the Constitution, is not in discussion here, but while insisting on all its provisions in reference to ourselves, we are in honour and honesty bound to submit to its provisions in regard to Slavery.

MR. CORNWELL said as he understood the argument of the Senator, (Mr. Bush) it appeared to him to be most fallacious. He (Mr. C.) was unable to see anything in this bill which prevented or in the least interfered with the delivery of persons referred to in the clause of the Constitution which the Senator had read, and he would be much obliged if the Senator would point it out to him.

Mr. BUSH understood the bill to prohibit all persons and all officers of the State from aiding in any manner whatever in delivering up fugitives from service. Congress had passed laws intending to vest officers of this State with power in regard to this question.

MR. CORNWELL said that Congress did pass such laws, and devolved on our officers certain powers and duties, but had no right, power, or authority to do it, and so decided the Supreme Court of the United States. Here is a substantial reason why this bill should be passed, because such a law exists on the Statute book of the United States.—That law was not obligatory or binding at all. It was the right, nay more the duty, of the legislature to say to their officers that they have no right to act under that law, which is illegal, and which has no binding force upon them. Here then is a good and substantial reason why this bill should become a law. The second section prohibits all public officers not holding a coramission from the Government of the United States from assisting or aiding in the arrest or detention of persons claimed as fugitive slaves. There is another necessity and reason for the passage of this law. It is a fact susceptible of ample substantiation that men have been arrested and carried beyond the boundary of the State and in all probability reduced to a state of servitude for life, who were as much entitled to freedom as any other in community. There should be a protection against such trampling upon the rights of citizens of this State. We profess to have a regard for the personal rights and liberties and for the rights of those held in bondage, and so great is our regard for them that we are willing to prohibit the extension of Slavery where it does not now exist, and yet is it to be said that we are not willing to pass a law which shall inform our State officers that they are not at liberty to assume duties not legally devolved upon them?

Are we to be told that it is not policy for us at this time to say that our officers shall not invade personal rights? We shall appear inconsistent to take that position with others that we maintain before the public. This bill has been denounced as unconstitutional, because it related to a subject matter which had been legislated upon by the general government—that the power being there vested, therefore, the legislature of this State had no right to legislate on the subject. An objection which he did not conceive to be well taken. This bill related exclusively to the action of our own citizens—the legislation of the general government had relation to the subject of detaining persons who had escaped from those to whom their services were due from another State into this. The two subjects are varied. He believed it would be found, upon examination, that our best elementary writers laid it down as a principle, that the State has a sovereignty and control in the matter over the actions of our own Courts. He thought if the Senator would take time to examine this position as laid down by Chancellor Kent in his commentaries, he would find clearly stated those principles which justified the passage of this bill, and which go to show that the Constitution of the United States in no manner interfered with our right to govern the actions of our own citizens.—But the only objection that had been urged, was the one he had endeavoured to meet on this occasion, and the mere statement of which seemed to him a perfect exposure of its fallacy and a sufficient answer to it.

Mr. BUSH did not mean to say that Congress had the right to impose duties upon our State officers, but to delegate them. As we confer powers on boards of supervisors, so Congress can permit us to discharge certain duties which it might discharge. And Congress did attempt it and pointed out the method in which fugitives from justice might be claimed. This State from the earliest period until near the present time, had laws in existence to carry out this provision of the Constitution, and it was regarded until recently that it imposed on the State the obligation of delivering up fugitives from justice. The argument that persons entitled to Freedom had been kidnapped was no argument at all. So might any of us be carried off—and the law protects black men in their rights and liberties as much as it does us. The law before us was to extend a protection to one class of men that is denied to others. There were laws existing which protected individuals against kidnapping, and that was all the legislation any one had a right to expect, unless it was hoped to violate the Constitution. He asked gentlemen to point out the distinction between delivering up fugitives from justice, and a fugitive slave. The language of the Constitution was the same in both cases: and would it be contended here, that we would refuse to deliver up criminals fleeing from punishment? He apprehended not. But the law seemed peculiarly unnecessary at this time, in another point of view. This very law has been denounced in the Senate of the United States as unconstitutional, and there was not a voice raised to say it was not. It has been so denounced by men in high places and positions, and New York has been denounced at the South for seeking to pass it. Was it wise for us, at the time when we were urging a question of vast importance on the consideration of the General Government, to create an excitement at the South on the supposition that we were becoming aggressors on their rights? It seemed to him not. We are interested in a subject vastly more important than this, on which we are clearly right, and which admits of no compromise. Was it wise then to prejudice the South against us in a manner which might result in the defeat of that measure?

Mr. FLOYD hoped to see no halting on this subject. The bill passed at the last session by the large vote of 20 to 4. He at the time opposed it on constitutional grounds that have been obviated by an amendment made to the bill at the present session—so that nothing in it shall punish a person called on by an officer of the United States to aid him. There can be no question that it will carry out the wishes of our constituents to vote for this law. No man can doubt it who noticed what took place during the last canvass. All parties were then in favour of Free Soil, opposed to Slavery, in favour of personal liberty, and he confessed that if those who voted for this bill last year should fail to do so now, he should begin to think with General Harrison, that pledges before and after election were different things. He could see no objection to the bill unless it was a political one. The voice of New York should be solemnly expressed on this subject, and if this bill passed it would compensate him for the loss of his instructions to the President on this subject. When this should come to him, neither he nor any else could mistake the feelings and wishes of all parties in the State.

Mr. FULLER regretted to differ from the Senator from the 31st (Mr. Bush) but on this as upon other subjects, he felt bound to speak his honest convictions and the voice of his constituency. These were in favour of the passage of the law. What the consequences would be at the South he knew not, he would leave that to God. It was a melancholy fact—melancholy in this age of light and reason—melancholy indeed in this free republican Government, that many of our citizens who happen to differ only a shade from us in colour are liable to be arrested and upon the order of a judge, without the benefit of a trial by jury, to be carried away into hopeless bondage. It is enough that the Constitution of a free republican government claimed to be the model for the whole earth, gives that power, but there let it stop. Let us not go an inch or an iota beyond this. It is enough that the authorities of the United States possess this power—but they have not the right or power to clothe the State authorities with it. It is unconstitutional for them to do so, and if it is so for them, it is unconstitutional for us to speak to our authorities, and say they shall not exercise it. That is all proposed to do by this bill. It has already been decided by the highest tribunal in the land that a slave-catcher or slave-owner from the South may come here and lay claim to coloured citizens, and take them there without any process of law whatever, being only responsible to the legal tribunals for the act. This has been settled to be the supreme law of the land, and he for one was prepared to say that no citizen of this State shall aid them in so unholy a purpose. He was prepared to say that if men came to this State for that purpose, they should do it alone—that they should not have the aid of our free citizens to accomplish such an object. He thought we were called upon thus to act for the protection of our coloured people, because they are an oppressed and downtrodden race. Upon this question, he went further than his Free Soil friends did. He was in favour not only of Free Soil, but of protecting this down-trodden and oppressed race. [Applause.] They were not able to protect themselves. He recollected that a former Whig administration of this State placed on the Statute book an act regulating this very matter—giving to the State authorities power to adjudicate upon the subject, and providing that coloured men should have the benefit of a trial by jury. That law was decided unconstitutional and swept from the Statute book, and it was decided that they might come without law, trial and process whatever, and take him. Shall our citizens have the privilege of aiding them in it? Can we not live up to the Constitution and take that privilege away from them? He held that we could. Still, we leave our Courts open to the slave-owners and slave-catchers, and that ought in all conscience to content them. He was for abiding by the compromises of the Constitution—but not to go a step beyond.

Mr. FINE should not have spoken on the subject but for the appeal made by the Senator from the 31st, (Mr. BUSH.) In a report he (Mr. F.) had made on the subject last year, he had called the attention of the Senate to a case decided in, and several decisions of the Supreme Court of the United States, bearing on this case. Mr. F. quoted from the decision to show that Congress cannot vest any portion of the judicial power of the United States except in courts established by itself. No such jurisdiction can under the Constitution be devolved on a State tribunal, and only in cases where, previous to the adoption of the Constitution, the State tribunals were invested with independent authority, can they now exercise concurrent jurisdiction. The jurisdiction of the State courts was exclusive in crimes and offences, and it was not competent for Congress to confer jurisdiction upon State officers. He laid down the proposition, that where an act of Congress seeks to vest criminal jurisdiction in State officers, it is entirely void, and that a State officer can only execute laws passed by the State, except in those cases where, previous to the Constitution, they had concurrent jurisdiction. This was the unanimous opinion of the New York Supreme Court, and it had been confirmed by that of the United States. He [Mr. F.] had voted against a similar bill last session, on the ground that it was unnecessary—that the common law was sufficient for the protection of our citizens if it was only generally understood. The power of taking fugitive slaves is with the owner, and that of issuing process to assist him is with the United States Supreme Court. Did the Senator doubt or deny it?

Mr. BUSH asked whether it had not been determined repeatedly that the owner might take his slaves, whether he was a citizen of New York or elsewhere, and if such taking would not be a violation of the law under consideration, if he was a citizen of the State?

Mr. FINE said it had been determined that the owner of a fugitive slave, under the Constitution and the act of Congress, had a right to take him where he found him. This bill did not prohibit the exercise of that power, but it does prohibit citizens of this State from aiding such owner unless he is clothed with the powers of the United States Court. He asked the Senator if that was unconstitutional.

Mr. BUSH: The second section of the bill prohibits *any person* a citizen of this State, from aiding or associating in any such arrest or detention.

Mr. FINE would remark further. He had hoped after the report he had made at the last session, and the general understanding of the community, that neither an officer or a citizen of this State would assist in any such operation, but the history of the last year had shown that this was not the case, and that there were persons in our cities, and officials too, disposed to exercise authority which the law did not clothe them with. He had therefore brought his mind to the conclusion that it was proper to go for this bill. He was convinced that it was Constitutional, and entirely in conformity to the dacision of the courts. As regarded one point to which the Senator had alluded, the supposition of a slave owner residing in this State—he would say in answer, that our laws did not recognize Slavery, and we could know nothing of it. It is entirely foreign to our Constitution, our prejudices, habits, customs and consciences. He did not admit the fact, and it was for the Senator to show, where was a citizen of this State who was a slaveholder.

Mr. BUSH said there were instances of citizens of this State who owned slaves in Maryland. The laws of that State give them the right to own them—and the constitution of the United States declares that we shall give full faith and credit to the laws of Maryland. Now he supposed if a citizen owned slaves in Maryland, and one should escape here, he had a right to reclaim him and carry him back, and if arraigned for so doing under this law, he could plead the Constitution and the decision of the courts in his defence.

Mr. FINE said that was very similar to a citizen of this State who goes to Maryland where he is a freeholder. He denied that a man residing in this State, owning slaves in Maryland, when spoken of as a citizen of this State was a slaveholder.

Mr. Johnson said that this debate should be approached with preparation, of such deep and pervading interest was the subject. Such had been the action of public sentiment during the past year, that the vote taken on this bill is certainly a singular one, as regards the opinions of individuals. Individual members had already announced that they should not vote on this bill as they did last year, and now another one presents himself in that position before his compeers. This bill seemed to him to present three propositions. The first is the Constitutional question—the second, is the law as drawn expedient with respect to the Constitution?—and third, and greatest, was it expedient in a political point of view; and when he said that, he did nor mean petty party politics, but a political question of great national importance and consequence. With regard to this clause of the Constitution, he was free to admit the law to be as here expressed, that it was not in the power of the General Government to impose obligations on our State officers. To satisfy Congress that it was within its constitutional power to create that jurisdiction in every State which shall carry out its slave regulations, was proper, and there the subject might be left, and so far he would be much pleased to go. He regretted extremely to differ with Senators in this instance on that other and great political question. What was the meaning put on this clause of the Constitution by the slaveholding States? for his opposition to the bill was not based on that constitutionality or expediency of the law, as such, but as a political question. The language of the Constitution reads:—

"No person held to service or labour in one State, under the laws thereof, escaping into another, shall in consequence of any law or legislation therein, be discharged from such service or labour; but shall be delivered up, on claim of the party to whom such service or labour may be due."

What does the slave proprietor hold to be the meaning of that clause? It was the Constitution of the United States, and there was not a man here who would not abide by it. Probably if there was an individual on that floor more ready than another to treat it as a dead letter, it was himself. The meaning that the slaveholder and the entire South put upon it is that his property shall be held sacred. That was the language of that portion of the Whig party with which he had the honour of acting—that the spirit of the Constitution and its compromises should be held sacred

We stand (said Mr. J.) on that basis, and in hostility to that fanatical portion who are hurling their firebrands as they would scatter ashes. We stand upon the Constitution and its compromises, and when we passed our resolutions on the first week of the session, declaring our doctrines and principles with regard to Slavery, we held that where it prevails as a State institution there it remained sacred and firm and under this Constitution—but where Slavery never has been, and where nothing but the breath of freemen issues from the lungs, whether black or white,—we said such should remain. And when we came to the District of Columbia we think there should not be perpetuated that miserable traffic in human flesh and blood, bones and muscles. We say to the South rest quiet, the great Whig party of the North will now as ever stand firm on the principles of the Constitution, and invade no private rights. It is the North on this great question consolidated, united, firm and banded, against the Abolitionists proper, who regard no Constitution, no perional property or rights. It may be bold for a man who rests on the suffrages of the people for rank and station, to stand forth and throw his firebrand into the faces of a large mass, and these excitable and supported by immense funds, but he was here to discharge his duty according to the Constitution, and "a private station may be the post of honour." It is a point of expediency whether we shall say here at the North, we will not deliver up these fugitive slaves.

Mr. FULLER: I would enquire of the Senator if we are bound to catch them too?

Mr. JOHNSON: The honorable Senator will get all my ideas before I get through if I am fortunate enough. The man at the South believes that if we are not bound to catch him, we are not to interfere with his catching.

Mr. COLE: This bill does not propose to.

Mr. JOHNSON: I voted for it last year, and am backing out of it now—I dare do it. [A laugh.] And I do it upon the principles of political expediency in a great and comprehensive national point of view. Mr. J. said that the construction at the South of this bill, would be that the State of New York refuses to give up these fugitive slaves. The language of the bill might not bear that construction, but men did not always weigh words that were written, or define with perfect accuracy the meaning of terms. It would be sufficient that the bill was passed, and it is to be attributed to the will which exists below, and into the expression of which the representatives are driven probably by fear of the power at home. The language of the Constitution may warrant this bill—except the word "citizens" in the second section, but under the decision of the United States and several States courts, where is the necessity of passing this penal law? Congress cannot impose on our officers and citizens the duties here prohibited, and the slaveholder must now come and get his property himself, subject to all delays and obstacles which our courts interpose. The law then is unnec

Poetry.

Africa.

BY MARIA LOWELL.

She sat where the level sands
Sent back the sky's fierce glare,
She folded her mighty hands,
And waited with calm despair.
While the red sun dropped down the streaming air.

Her throne was broad and low,
Builded of cinnamon;
Huge ivory, row on row,
Varying its columns dun,
Barred with the copper of the setting sun.

Up from the river came
The low and sullen roar
Of lions, with eyes of flame,
Who haunted its reedy shore,
And the neigh of the hippopotamus,
Trampling the watery floor.

Her great dusk face no light
From the sunset glow could take;
Dark as the primal night
Ere over the Earth God spake,
It seemed for her a dawn could never break.

She opened her massy lips
And sighed with a dreary sound,
As when by the sand's eclipse
Bewildered men are bound,
And like a train of mourners,
The columned winds sweep round.

She said;—"My torch at fount of day
I lit, now smouldering in decay;
Through futures vast I grope my way.

"I was sole queen the broad earth through;
My children round my knees upgrew,
And from my breast sucked Wisdom's dew.

"Day after day, to them I hymned;
Fresh Knowledge still my song o'erbrimmed,
Fresh Knowledge, which no time had dimmed.

"I sang of Numbers; soon they knew
The spell they wrought, and on the blue
Foretold the stars in order due;

"Of Music; and they fain would rear
Something to tell its influence clear:
Uprose my Memnon, with nice ear,

"To wait upon the morning air,
Until the sun rose from his lair
Swifter, at greet of lutings rare.

"I sang of Forces whose great bands
Could knit together feeble hands
To uprear Thought's supreme commands;

"Then, like broad tents, beside the Nile
They pitched the Pyramids' great pile;
Where light and shade divided smile;

"And on white walls, in stately show,
Did Painting with fair movement go,
Leading the long processions slow.

"All laws that wondrous Nature taught,
To serve my children's skill I brought,
And still for fresh devices sought

"What need to tell? they lapsed away,
Their great light quenched in twilight grey,
Within their winding tombs they lay,

"And centuries went slowly by,
And looked into my sleepless eye,
Which only turned to see them die.

"The winds like mighty spirits came,
Alive and pure and strong as flame,
At last to lift me from my shame;

"For oft I heard them onward go,
Felt in the air their great wings row,
As down they dipped in journeying slow

"Their course they steered above my head,
One strong voice to another said,
'Why sits she there so drear and dead?

"'Her kingdom stretches far away;
Beyond the utmost verge of day,
Her myriad children dance and play.'

"Then throbbed my mother's heart again,
Then knew my pulses finer pain,

"I sought my young barbarians where
A mellower light broods on the air,
And heavier blooms swing incense rare.

"Swart-skinned, crisp-haired, they did not shun
The burning arrows of the sun;
Erect as palms stood every one

"I said,—These shall live out their day
In song and dance and endless play;
The children of the world are they.

"Nor need they delve with heavy spade;
Their bread, on emerald dishes laid,
Sets forth a banquet in each shade.

"Only the thoughtful bees shall store
Their honey for them evermore;
They shall not learn such toilsome lore;

"Their finest skill shall be to snare
The birds that flaunt along the air,
And deck them in their feathers rare.

"So centuries went on their way,
And brought fresh generations gay
On my savannahs green to play.

"There came a change. They took my free,
My careless ones, and the great sea
Blew back their endless sighs to me

"With earthquake shudderings oft the mould
Would gape; I saw keen spears of gold
Thrusting red hearts down, not yet cold,

"But throbbing wildly; dreadful groans
Stole upward through Earth's ribbed stones,
And crept along through all my zones.

"I sought again my desert bare,
But still they followed on the air,
And still I hear them everywhere

"So sit I dreary, desolate,
Till the slow-moving hand of Fate
Shall lift me from my sunken state."

Her great lips closed upon her moan,
Silently sat she on her throne,
Rigid and black as carved in stone.

Elmwood, Cambridge, Mass. [LibertyBell.]

FORGET AND FORGIVE.

BY WILLIAM HURTON.

Where is the man who has striven among
His fellows, and never done one of them wrong?
Where is the man, who, amidst the world's din,
Has never committed sin upon sin?
Where is the man who but one day can live
Without reason to say—*Forget and Forgive?*

We all of us sin—we all go astray,
In thought and in deed each hour of the day;
We all are depraved and to evil inclin'd—
The constantly upright, where shall we find?
'Tis mercy, not justice, permits us to live;
How deep, then, the need to *Forget and Forgive!*

GOLD.

"Gold! gold! gold! gold!
Bright and yellow, hard and cold,
Molten, graven, hammered, and rolled;
Heavy to get, and light to hold.
Hoarded, bartered, bought, and sold,
Stolen, borrowed, squandered, doled;
Spurned by the young, but hugged by the old
To the very verge of the churchyard mould;
Price of many a crime untold;
Gold! gold! gold! gold!
Good or bad, a thousand fold,
How widely its uses vary:
To save, to ruin, to curse, to bless;
Now stamped with the image of good Queen Bess,
And now of bloody Mary."—*Hood*

Miscellany.

Amy.

A TALE.

BY CAROLINE W. HEALY DALL.

"It is a degree of torture, to bring vividly to my mind, what man is suffering from his own crimes, and from the wrong and cruelty of his brother."—CHANNING.

"Anger is one of the sinews of the soul; he that wants it, hath a maimed mind."—THOMAS FULLER.

A few years since, a beautiful and petted child of wealth was carried to a new home, by a husband who worshipped not only the exceeding loveliness of his bride, but a rare and shrinking delicacy of character, which had especially captivated the fancy of one, who, had he possessed the power as he did the will, would have forbidden the light of day to kiss the cheek of his beloved. A secluded plantation, in the western part of Georgia, possessed all the retirement that his fond affection could desire; and if at any moment the heart of Edith Ainslie shrank from the change, and clung to the society and interests of the large city, and tender friends she was leaving, she comforted herself with the reflection, "At least, one friend will be with me. With Amy I cannot feel entirely alone." No! Amy could not forsake her mistress; she had not the desire, nor if she had, would it have availed, for she was a slave, and taken from her mother's bosom ere she was a year old, she had shared the chamber and the play-room of her companion, from that hour onward. It never occurred to Edith to ask whether Amy had a father or a mother. So accustomed was she to the lonely position in which slave girls are often left, that no thought of the matter disturbed her happy heart. Had she been more curious upon the subject, her unanswered questions, and a striking resemblance between the features of two, might have led her to suspect that a nearer bond than she had hitherto imagined, in truth united them. In Southern fashion, Edith was not quite sixteen when she was wooed and won, and borne, a willing captive, to a patriarchal dwelling, embosomed in tall tulip trees, hedged in by Cherokee roses, curtained with fragrant vines, perfumed by the breath of conservatories, and made tempting to her refined taste by books and birds and music. Robert Ainslie spared no effort to make the "Dell" seem lovely in her eyes; and when the first hours of happiness had passed, a succession of gay visiters prevented Edith from feeling the true loneliness of her position. And thus, surrounded by all that could minister to Epicurean tastes, did the first two years of her married life glide by, and at the commencement of the third, Amy laid upon her throbbing bosom her first-born son. The birth of this child brought Edith to the gates of death—and with a trembling spirit had she encountered her hour of extremity. When she came from her sick chamber, it was in the power of renewed loveliness, with a tenderer affection for her husband than she had ever felt before, with the fount of a mother's love just opening in her heart, and with the baptismal drops of her trial—as she truly believed at that moment—still sparkling upon her forehead. A religious change had come over her spirit and diffused a pensiveness over her countenance. To restore the light to her eye, gay friends were again summoned to her side. Alas! that among them came no Mentor, schooled by God's Providence and inspired by his Truth, to show her how insufficient was that change, and to write upon the tablets of her heart the words,—"Self-denial and Self-discipline are the whole welfare of life." The gay party trooped away, and were succeeded by a single individual, the college friend of Ainslie. During the years of her married life, Edith had become more attached to the companion of her childhood; and now that her babe was constantly cradled in Amy's arms, she seemed constantly to unite them in her affection. Charles Hartley was a Virginian, accustomed to entire self-indulgence, and the moment that his eye rested on the graceful form of Amy, as she stood behind Edith's chair at dinner, he marked her for his own; and the glass of water which he took from her hand, thrilled his veins like fire. That night, when Amy unbound the redundant tresses of her lady's hair, and the fair babe slept in a hammock, rocking at their side, she begged to be excused from her attendance on the table during the length of the new comer's visit.—Her eye had met that of the proud Virginian; and as she spoke, her unusual manner, the trembling of her voice, and the words, "Mrs. Ainslie," uttered in a somewhat distant manner, would have revealed to one less unsuspicious or more keen than Edith, that she felt it to be no trifling boon she asked. Never before had Amy addressed her by her married name. She did it now unconsciously, but the word appealed to Edith's womanly feeling, and the most skilful diplomacy could have devised no better. "Amy," said she with dignity "when did I ever ask you to your chamber, since it so suits you, and I will provide another attendant for the table." "Thank you, dear Miss Edith," was the answer, uttered in a tone which showed that while the slave-girl was grateful for the unexpected favour, she still felt that in granting it, an uneasy feeling had sprung up in Edith's heart.

But this was not the least of the matter. Hartley perceived her absence, and suspected its cause. At first, he threw out gentle hints that her presence was required, but when he found that these were not understood, he appealed to Ainslie, entreating her master not to deprive him of the pleasure of seeing her at least once a day. For a time his host withstood him, but at last, he told his wife that he did not consider it consistent with his usual hospitality to refuse his guest so simple a gratification. Poor Amy was remanded to her post, and stood there the victim of a bitter conflict. Once required in the course of her usual duties, she could not escape from the observation of the stranger. Not once, but many times a day, was she intercepted in her walks with the child, or interrupted in the performance of household duty by her tormentor. Edith herself could not have repelled his advances with a more proper dignity, a more just disdain, than this poor slave.—Uneducated in every sense, except by her companionship with her mistress, there yet dwelt in her heart the Eternal Law of Right. The offspring of a lawless and unrequited affection, he had, nevertheless, unconsciously dedicated her whole being to a vestal chastity. But nothing availed. Unable, while she was the property of another, to accomplish his desire, Charles Hartley besought his friend to sell poor Amy to him. To do Ainslie justice, he shrank from his first proposal with horror. But Hartley understood with whom he had to deal. He appealed to Edith, and she at first entreated Amy to have some compassion on his agony; but Amy, for the first time, repelled her mistress with a kindling eye. "Ask nothing of me," was her calmer reply, "his presence in this house is as much an insult to you, Mrs. Ainslie, as it is to me. I will, at least, keep myself innocent before God." When this answer was reported to Hartley, he left the house angrily, and at once, for Edith did not qualify one of Amy's words. He repaired, however, to the house of a friend, a few miles off, from whence he rode over as often as twice a week, for more than a month, and continued to annoy Edith with entreaties for her interference, and repeated offers of purchase. The light left Edith's eye, the colour left her cheek, and even to her husband's caresses she gave but a languid response. Not only did the whole subject distress her, but to be so besought on such a subject, by one until lately a stranger, was a perpetual wound to her delicacy. She felt herself losing ground in her own self-respect. Her husband regarded it as a desecration, and repeatedly asked whether her own life was to be worn out in defence of Amy. Alas! the hour was fast approaching when Edith was to prove that the love of God, in her heart, was a vain pretence, since its first fruit was not the love of man,—that her service, rendered to the Father of All, could scarce have been accepted, since it was not offered in that spirit which recognizes first, the Brotherhood of All. She avoided Amy, and with Hartley at her feet, vehemently protesting his *honourable intentions*, promising marriage itself if she desired it;—with her husband at her side, for the first time bending on her an angry frown,—Edith yielded, and with a trembling hand, wrote a dishonoured name beneath the Deed of Transfer.

Christian men and women of America, can you believe this? Can you believe that a young and tender girl, with an infant at her bosom, with what she believed to be some sense of gratitude to God in her heart, reared withal in gentle condition, and recently risen from a sick bed, could thus doom a fellow-creature to a certain life of infamy? When you have read those moving words of Thomas Hood,—claiming for the unfortunate a place in your sympathies,

Owning her weakness,
Her evil behaviour,
And leaving with meekness,
Her sins to her Saviour;

has it not seemed to you an impossible thing, that one of these tender-hearted women, who have been farther protected by circumstances than the force of their own virtue, should pass by such a penitent, or refuse to press a kiss of sacred pity, the pledge of a sisterly help, upon her agonized forehead?

You have thought but little, even on on this subject—your delicacy has shrunk from it,—but what think you of giving up the innocent to guilt, of setting your own human hand to an instrument which shall bind one, truthful and affectionate to the service of sin? Can you lie down at night, praying, "Lead us not into temptation," and remember without a pang, with what temptations she was thus hedged in? The case which I have stated, is no exception to the common rule, except in the degree of patience and attention bestowed on it. Hundreds of such cases occur every year, without even the pretence of regard for the victim here evinced. No questions are asked of the slave. She is supposed to be incapable of womanly feeling, and although both parties understand to what a fate her transfer will lead, neither has a conscience in the matter.—Read this calmly, and if you afterward turn shrinking from the record of the legalized licentiousness of France and Spain, let the whole world witness your hypocrisy. Edith was like Pilate. Questions of human right, she little understood; but she desired, like him, to wash her hands of the whole matter. Unable to do that, she had not courage to listen to the deepest voice in her soul. She believed that she could forget Amy—but when her infant perished of a disease contracted through the carelessness of its nurse; when her husband, high-minded and generous as she had thought him, was soon afterwards seduced to intemperance and dice, there doubtless crept into her heart a faint suspicion, that not without some providence of God, some discipline pregnant with results, and conceived in the Infinite Councils, were these things brought about. All intercourse ceased between the families of Ainslie and Hartley. For many months, no tidings reached the former, concerning the lost favourite; but at last, a newspaper paragraph, in describing a lot of "fancy slaves," offered in the Mobile market, spoke of a terrible suicide that had occurred among them, a suicide committed by the youngest and fairest of them all, who feared the judgment of God upon this act of her ignorant but guiltless hand, less than the tender mercies of those who regard neither law nor Gospel. It needed not the name of Amy, which followed this announcement, to confirm to the miserable Edith the testimony of her own heart.

Christian men and women of America! during the last three years I have presented to your notice annually one of those terrible facts, which are the most available weapons of the friends of Freedom. None are so much dreaded by the slave master. He knows as well as anybody, that a fact will reach and touch a dozen hearts, long before an argument or an abstract truth has conquered a single mind.—Doubtless if it could be proved that the slave enjoys a higher degree of happiness than his master, it would tend in no degree to justify the institution; but unthinking men are oftentimes capable of comprehending an evil consequence, when they do not see the whole extent of moral obliquity involved in the institution which is its cause. If an apology were ever necessary, for that which one has thought it right to do, I ought perhaps, to apologize for the form of narrative in which I have presented my facts. I know myself to be little skilled in it; but confining myself to a limited space, I had determined to have nothing to do with argument, and I could not but believe that however clumsily I might arrange them, the facts themselves would find a voice. My own success seemed a smaller matter to me, than the simplest manner of presenting these. The first tale exhibited the baneful effects of slave laws upon a free coloured population. The second, the utter impossibility of nourishing such virtues as truth chastity and strong affection, among a population, without the protection of the law. The third may bear upon two points, first, the impossibility of nurturing in the heart of the white man, a religion, a sense of justice, a purity of thought acceptable to God, while under the influence of such an institution as Slavery; and second, the horrible necessity while such an institution exists, of legalizing the most atrocious crimes. The reaction of these atrocities upon the character of the whites might still be pointed out, but this is not necessary while Mr. Foote of Mississippi is permitted to threaten one of our Senators with Lynch law, in the face of our whole nation, because in this *noble republic*, in the Capitol, built over the intended sarcophagus of Washington, he dares to utter the mere alphabet of Freedom. We shall not waste our strength in that way I trust, in a year which sees General Taylor a candidate for our highest office; which offers him to all the world, as the true exponent of our national character. A motto borne by those who have fought the good fight far longer than myself, has been criticised of late in a somewhat quibbling spirit. This motto, ~~We resist with Slaveholding Treason~~, I would treat the slaveholder as a criminal; but the criminal as did Christ, encircling him with mercy, pleading for him and with him, as one sinner for and with another; speaking the unvarnished bitter truth; crying "wo! wo!" with a sadness, yet a tenderness which he shall not mistake.

If there ever was a moment when I doubted the propriety of such a motto, it is long past. If it were not, could I remember that at this moment, should I remain silent. I stand before God, guilty of the imprisonment of Drayton and Sayres, holding with my woman's hand the bar which secures their persons, dooming with my woman's heart seventy unfortunate human beings to a life of aggravated Slavery and sin,—could I remember this and not be stirred to use my utmost woman's power to speak, and speak gladly, beneath such a banner? There may be no English verb in our motto, but in its place throbs a genuine Saxon heart. It may be no sentence, yet is it somewhat sententious. Say it means nothing, yet like the Great Book of the World, it meaneth all things to all men, and by God's Holy Will, shall yet save some. Disown it—but you shall not dishonour it—nor will it need the grace of Rhetoric, to approve it to all Human Reason.

SKETCHES OF JOHN BUNYAN AND WILLIAM KIFFIN

BY T. BABINGTON MACAULAY.

"To the names of Baxter and Howe must be added the name of a man far below them in station and in acquired knowledge, but in virtue their equal, and in genius their superior, John Bunyan. Bunyan had been bred a tinker, and had served as a private soldier in the Parliamentary army. Early in his life he had been fearfully tortured by remorse for his youthful sins, the worst of which seem, however, to have been such as the world thinks venial. His keen sensibility and his powerful imagination made his internal conflicts singularly terrible. He fancied that he was under sentence of reprobation, that he had committed blasphemy against the Holy Ghost, that he had sold Christ, that he was actually possessed by a demon. Sometimes loud voices from Heaven cried out to warn him. Sometimes fiends whispered impious suggestions in his ear. He saw visions of distant mountain tops, on which the sun shone brightly, but from which he was separated by a waste of snow. He felt the devil behind him pulling his clothes. He thought that the brand of Cain had been set upon him. He feared that he was about to burst asunder like Judas. His mental agony disordered his health. One day he shook like a man in the palsy. On another day he felt a fire within his breast. It is difficult to understand how he survived sufferings so intense and so long continued. At length the clouds broke. From the depths of despair, the penitent passed to a state of serene felicity. An irresistible impulse now urged him to impart to others the blessings of which he was himself possessed. He joined the Baptists, and became a preacher and writer. His education had been that of a mechanic. He knew no language but the English, as it was spoken by the common people. He had studied no great model of composition, with the exception, an important exception undoubtedly of our noble translation of the Bible. His spelling was bad. He frequently transgressed the rules of grammar. Yet the native force of genius, and his experimental knowledge of all the religious passions, from despair to ecstasy, amply supplied in him the want of learning. His rude oratory roused and melted hearers who listened without interest to the laboured discourses of great logicians and Hebraists. His works were widely circulated among the humbler classes. One of them, the Pilgrim's Progress, was, in his own life-time, translated into several foreign languages. It was, however, scarcely known to the learned and polite, and had been, during near a century, the delight of pious cottagers and artisans, before it was publicly commended by any man of high literary eminence. At length critics condescended to inquire where the secret of so wide and so durable a popularity lay. They were compelled to own that the ignorant multitude had judged more correctly than the learned, and that the despised little book was really a master-piece.—Bunyan is indeed as decidedly the first of allegorists, as Demosthenes is the first of orators, or Shakspeare the first of dramatists. Other allegorists have shown equal ingenuity, but no other allegorist has ever been able to touch the heart, and to make abstractions objects of terror, of pity, and of love.

"It may be doubted whether any English Dissenter had suffered more severely under the penal laws than John Bunyan. Of the twenty-seven years which had elapsed since the Restoration, he had passed twelve in confinement. He still persisted in preaching; but, that he might preach, he was under the necessity of disguising himself like a carter.—He was often introduced into meetings through back doors, with a smock frock on his back and a whip in his hand. If he had thought only of his own ease and safety, he would have hailed the indulgence with delight. He was now, at length, free to pray and exhort in open day. His congregation rapidly increased; thousands hung upon his words; and at Bedford, where he originally resided, money was plentifully contributed to build a meeting house for him. His influence among the common people was such that the Government would willingly have bestowed on him some municipal office; but his vigorous understanding and his stout English heart were proof against all delusion and all temptation. He felt assured that the proffered toleration was merely a bait intended to lure the Puritan party to destruction; nor would he, by accepting a place for which he was not legally qualified, recognize the validity of the dispensing power. One of the last acts of his virtuous life was to decline an interview to which he was invited by an agent of the Government.

"Great as was the authority of Bunyan with the Baptists, that of William Kiffin was still greater.—Kiffin was the first man among them in wealth and station. He was in the habit of exercising his spiritual gifts at their meetings; but he did not live by preaching. He traded largely; his credit on the Exchange of London stood high; and he had accumulated an ample fortune. Perhaps no man could, at that conjuncture, have rendered more valuable services to the court. But between him and the court was interposed the remembrance of one terrible event. He was the grandfather of the two Hewlings, those gallant youths who, of the victims of the Bloody Assizes, had been the most generally lamented. For the sad fate of one of them James was in a peculiar manner responsible. Jeffreys has respited the younger brother. The poor lad's sister had been ushered by Churchill into the royal presence, and had begged for mercy; but the king's heart had been obdurate. The misery of the whole family had been great; but Kiffin was most to be pitied. He was seventy years old when he was left destitute, the survivor of those who should have survived him. The heartless and venal sycophants of Whitehall, judging by themselves, thought that the old man would be easily propitiated by an alderman's gown, and by some compensation in money for the property which his grandsons had forfeited. Penn was employed in the work of seduction, but to no purpose. The king determined to try what effect his own civilities would produce. Kiffin was ordered to attend at the palace. He found a brilliant circle of noblemen and gentlemen assembled. James immediately came to him, spoke to him very graciously, and concluded by saying, "I have put you down, Mr. Kiffin, for an alderman of London." The old man looked fixedly at the king, burst into tears, and made answer, "Sir, I am worn out; I am unfit to serve your majesty or the city. And, sir, the death of my poor boys broke my heart. That wound is as fresh as ever. I shall carry it to my grave." The king stood silent for a minute in some confusion, and then said, "Mr. Kiffin, I will find a balsam for that sore." Assuredly James did not mean to say anything cruel or insolent; on the contrary, he seems to have been in an unusually gentle mood. Yet no speech that is recorded of him gives so unfavourable a notion of his character as these few words. They are the words of a hard-hearted and low-minded man, unable to conceive any laceration of the affections for which a place or a pension would not be a full compensation."

THE MISSING TRIBES.

BY M. M. NOAH.

The *Globe* of Monday last asks us to indicate in this day's paper, the "probable location of the lost tribes." The subject, always one of deep interest, has occupied the attention and research of the most eminent divines and historians. Many years ago, Dr. Boudinot of, New Jersey, published a work of great interest called the "Star in the West," in which he attempted to prove that the North American Indians were the descendants of the missing tribes.—The work was read and laid aside with incredulity. Forty years, however, have developed many circumstances of Dr. Boudinot, and the work, though out of print, is one which, to the curious, would amply repay a perusal. We have never doubted the fact. Nine and a half tribes were carried captives from Samaria, two and a half, Judah, Benjamin, and half Manassah, remained in Judea, or trans-Jordanic cities, and the latter constitute the eight millions of the existing nation. All that we know of the route taken is from the second Esdrass, an apocryphal book, but one of great antiquity, and entitled to respect. The notice runs thus;

"Whereas, thou sawest another peaceable multitude: these are the ten tribes, which were carried away prisoners out of their own land, in the time of Osea, whom Salmanazer, King of Assyria, led away captive, and he carried them over the waters, so they came unto another land.

"They took this counsel among themselves, that they would leave the multitude of the *heathen*, and go into a farther country, wherein mankind never dwelt, that they might there keep their statutes, which they never kept in their own—Assyria,—and there was a great way to go, namely, a year and a half."

They marched toward the northeast coast of Asia; some remained in Tartary, and many went into China, where they have been 1600 years, and are numerous at this day. The main body crossed at Behring's Straits to the Continent, the more hardy keeping to the North, Hudson's Bay and Greenland; the more cultivated passed down on the shores of the Pacific, through California to Mexico, Central America and Peru, and there they met with the old enemy, the Phœnicians—Canaanites,—who having discovered the country 500 years previously, had formed colonies, built the city of Palenque, with pyramids like those they had erected in Egypt, at Cholula, Otamba, Paxaca, Mitlan, Tlascala, together with hieroglyphics plenisphenes, zodiacs, temples, military roads, aqueducts, viaducts, bridges of great grandeur, existing at this day, and all proving that they were built and settled by those who had erected Tyre, Babylon, and Carthage. When the tribes of Israel encountered their old enemy in the New World, they fell upon and destroyed them a second time, and when Columbus discovered the country, he found various tribes of Indians whose origin was unknown. These are the missing tribes, and this is the opinion of Adair, Heckwelder, Cherleveaux, McKenzie, Bartram, Beltrame, Smith, Penn, Menassah, Ben Israel, the Earl of Crawford, Lopez de Gamarra, Acosta, Malvenda, Major Long, Boudinot, and Catlin; all eminent writers and travellers.

We trace the march of the tribe through Asia to this Continent. After 2000 years we find the red men of America bearing the strongest marks of Asiatic origin, and divided into 300 different nations, remarkable for their intellectual superiority, their bravery in war, their good faith in peace, to be the descendants of the lost tribes, and identify them by the following religious rites, peculiar to all our Indians and to the Israelites;

1. Their belief in one God.
2. In their computation of time by their ceremonies of the new moon.
3. In their division of the year into four seasons.
4. In their erection of a temple—having an ark of the covenant—and also in their erection of altars.
5. By the division of the nation into tribes with a chief or general sachem at their head.
6. By their laws of sacrifices, ablutions, marriages, ceremonies in war and peace, prohibition of eating certain things, by traditions, history, character appearance, affinity of their language to the Hebrew, and finally by that everlasting covenant of heirship exhibited in a perpetual transmission of its seal in their flesh, a custom only of late relinquished. All the Indians on the American Continent, from Labrador to Cape Horn, are the descendants of the tribes, which, as Esdrass says, went into a farther country.

Mr. Catlin, who lived some years among the Indians of the Northwest, assured us that all the Mosaic laws, traditionary with them, were strictly enforced; William Penn, who had no suspicion of their origin, says, "I found them with like countenances to the Hebrew race. I consider these people under a dark night, yet they believe in God and immortality, without the aid of metaphysics. They reckon by moons—they offer their first ripe fruits—they have a kind of feast of tabernacles—they are said to lay their altars with twelve stones—they mourn a year—and observe the Mosaic law with regard to the separation."

These are the missing, but never the lost tribes of Israel. They resided in California when the ships of Solomon made their three years' voyage, and furnished the gold of Ophir for building the temple; they reside there still—the settlers and proprietors of Mexico, Peru, and the whole American Continent; they have been here centuries before the advent of Christianity, and patiently await the promises of redemption.—*Sunday Times.*

"'Chantrey and Wilkie, were dining alone with me, when the former, in his great kindness for Wilkie, ventured, as he said, to take him to task for his constant use of the word '*relly*' (really), when listening to any conversation in which he was much interested. 'Now, for instance,' said Chantery, 'suppose I was giving you an account of any interesting matter, you would constantly say "*Relly!*"' '*Relly!*' exclaimed Wilkie, immediately, with a look of the most perfect astonishment.

"When Lord Mulgrave's pictures were sold at Christie's, Wilkie waited in the neighbourhood, whilst I attended the sale. It was quite refreshing to see his joy when I returned with a list of the prices. The sketches produced more than five hundred per cent—the pictures three hundred. I recollect one—a small, early picture, called 'Sunday morning'—I asked Wilkie what he thought of its fetching, as it did—a hundred and ten pounds, and whether Lord Mulgrave had not got it cheap enough?—'Why, he gave me fifteen pounds for it!' When I expressed my surprise that he should have given so small a sum for so clever a work; Wilkie, defending him, said:—'Ah, but consider, as I was not known at that time, *it was a great risk!*'

"When the king was in Edinburgh (whither Wilkie and Collins went), Doctor Chalmers was asked by Wilkie, whether Principal Baird would preach before the king. (Now, Principal Baird has a sad habit of crying in the pulpit.) 'Why,' says Chalmers, 'if he does, it will be George Baird to George Rex, *greeting*.'"—*Memoirs of William Colins.*

DATES AND VIOLETS.

The winter of 1838 was very severe—the poor still shiver at its remembrance; prolonged far beyond its ordinary limits, there was little save the increasing length of the days to give token of the progress of the seasons. The snow lay on the ground in April, and "the pleasing breath of spring" gave way to the cold blast of the bitter northeast wind.

It was in this ungenial season that a Moorish vender of dates, and a little country girl who offered violets for sale, took up their station at the foot of the bridge which leads from the place Louis-Quinze to the Chamber of Deputies. The sweet flowers had put forth their tender blossoms despite the snow and wind, but where they grew I cannot guess. But flowers, fruits, and vegetables, can be procured at all seasons; how this is managed is a mystery, and I verily believe more pine-apples are grown in Paris than in Martinique.

The Moor was an old man; he was a native of Mascara, in the territory of Algiers, where he had been established as a tanner, and manufactured that kind of red and bronze coloured leather used by sword cutlers for the sheaths and scabbards of daggers and sabres.—This commodity is highly valued in the East; and its preparation requiring considerable skill and address, those who excel in it are held in much esteem; our date-merchant had been distinguished for the superiority of his goods.

His reputation was established, and his fortune made, when the French dismantled Mascara, and burnt it.—The tanner was ruined; they set fire to his workshops, and made saddles of his finest leather; his wife fell by their bayonets, and his daughter perished in the flames that consumed his building; his wife, who was called "The Moon;" his daughter, "The Little Raspberry,"—a beautiful name in Arabic, though it sounds strange in a translation.

The poor tanner had much to endure. As an indemnification, he was invested with the rank of a French citizen, and enrolled in a kind of National Guard; and with the ruins of his house they built a cafe, where, after the fashion of Paris, they drank beer, and played at dominoes. He went to Algiers, to lay his complaint before the governor, who protested that it was not in his power to prevent the vanquished from starving; and yet we talk of barbarians and call ourselves civilized.

The tanner of Mascara was graciously permitted to repair to France—that generous France who opens her arms to all who are desirous of perishing with hunger, in the walks of commerce, the art, or literature—but especially in literature.

In this hospitable country, the poor native of the East suffered terribly from cold, which penetrated his light garments; the unhappy man had chosen Paris for his [illegible] and they comprehended him still less. He passed whole days at the corner of the Bourse, which he, in his simplicity, took for a Catholic mosque. He concluded, therefore, that those who repaired thither could not fail to be charitable, for charity, says Mahomet, is a holy dew—it is easily scattered abroad, and produces a rich harvest. The only dew that descended on the Oriental was that of the Parisian sky—no stock-broker dropped even a sou into his palm. "The camels endure hunger longer than I have," said the tanner, "let me draw my girdle closer." He tightened his belt, and thought of his wife whom they called "The Moon," and of his daughter, "The Little Raspberry." But the time came at last when no alternative was left, but to eat, to die, or to rob. Sitting on his heels, after the Eastern fashion, the Moor suffered a melancholy smile to pass over his countenance. "I must die," he said; "God keeps the account of our actions."

We shall soon learn the fate of the poor tanner.

Nanterre is a very pretty, delightful little village between Paris and St. Germain-en-Laye; it is there that the more fortunate inhabitants of the city repair to refresh themselves with the pure air of spring, after the fatigues and the exercises of the long winter evenings. Here the little seller of violets of whom we have spoken, was born; her father worked in a vineyard, and her mother (when she could find a purchaser) sold cakes at the entrance of the Park of St. Cloud. These two occupations put together scarcely sufficed to pay the rent of their cottage, and purchase their daily bread.

When the little girl began to get bigger—that is to say, when she was almost three feet high—they put a bonnet on her head, sabots on her feet, and six bunches of violets in her hands, and said, "You must walk three leagues every morning, and sell these violets in the streets of Paris. Her parents were getting old, their sight was failing, and their limbs were feeble. She must see and walk for them, and she was contented to do it. Poor little girl! beautiful as summer, fair as the patron saint of Nanterre, who led her sheep to the water-brooks, spinning as she went!—she toiled painfully every day six long leagues, to bring home six sous. But her father was now ill in bed, and her mother sat ill in her chair; she must, nevertheless, go to Paris, through terrible roads, oceans of mud, and showers of snow.

There she was at her post, at the foot of the bridge of the Chamber of Deputies, where so many chariots with emblazoned panels—so many rich men, drawn by four sleek, well fed horses, swept along. She held six bunches of violets in her hand—sweet child! She offered them, after shaking off the snow, to all who passed; but no one would purchase them—no, not one.

She had been there from six in the morning, and it was now near mid-day.

The tanner of Mascara was not dead; he had met, by an extraordinary chance, with a remarkably generous man, who had made him a present of a basket, a cord to string it with, and three pounds of dates. With this stock he essayed his fortune. "Dates, dates, real Tafilat dates!" he cried. The first day he sold eight dates, the second three; the third day, that on which he cried his dates at the foot of the bridge of the Chamber of Deputies, he had not sold one, and they were now wetted by the rain, and soiled with mud.

The little violet merchant, who sold no more than the vender of dates, grew blue, and shivered with cold. The Moor took off his turban, and unrolled it, and said—or rather he said nothing. The poor child wrapped the muslin round her shoulders.

"Dates! dates! real Tafilat dates!"

"Violets, ladies!—pray, buy my violets."

Still no purchaser. Three o'clock struck, and the cold descended to the eighteenth degree; and neither one nor the other had eaten anything that day.

Some charitable persons laughed as they went by at seeing a Turk without a turban.

At four o'clock the little girl's heart failed her; she leaned upon the parapet of the bridge. The Moor then went towards her and said, "How do you sell your violets, mademoiselle?"

"Six sous the six bundles," she replied.

"Take and eat these ten dates—half of what I have left—and give me two bundles of violets in exchange."

By this means the child of nature breakfasted.

The Oriental ate nothing; he had not yet fasted more than two days.

Thus it was that misfortune united the misery of the West with the misery of the East—the flowers and the dates.

At sunset the cold was so intense as to sink the thermometer twenty-one degrees below the freezing point.—Showing his white teeth, the tanner smiled as he looked up to heaven. The child had fallen asleep at the foot of the bridge.

"She sleeps," thought he, "and she is as beautiful as my 'Little Raspberry.' Let her sleep on.

"Dates! dates! real Tafilat dates!"

Paris was lighted up. It was splendid; it glittered beneath the dark sky, as if under the arched roof of a mine. People went to balls, to the opera, the cafes, and the restaurants, where they ate apricots at forty francs the plate.

In his turn the Moor felt the influence of sleep; he yielded to it the more readily as now there was little chance of selling any of his dates. It was seven o'clock and the thermometer had sunk twenty-one degrees.

It was a good thought before he slept to draw near to the child, that he might warm her with the sort of burnoose which the glorious conquest of the French had spared him.

He kept one part, and threw the other over the pretty little violet merchant.

They are still asleep!—*The People.*

Gleanings from Foreign Publications.

THE LIFE OF AN EXQUISITE ("GENTLEMAN."—He gets up leisurely; breakfasts comfortably; reads the paper regularly; dresses fashionably; lounges fastidiously; eats a tart gravely; talks insipidly; dines considerably; drinks superfluously; smokes elegantly; lives uselessly; dies reluctantly; is buried lugubriously; and is missed by nobody.

THE FRIGATE BIRD.—At a meeting of the members of the Ipswich Museum, the Bishop of Norwich said: He had sent to the Museum, that day a specimen of the frigate bird, which was literally a tenant of the air; it lived in the air, slept in the air, and never came to the shore except in the breeding season. The explanation of this extraordinary phenomenon was as simple as possible. It was admirably constructed for the purposes of its existence. It had an enormous pouch beneath its throat, its skin was loose, its bones and arteries were like air vessels; and with an extraordinary expansion of tail and wings, it could, by imbibing a quantity of air, and rarefying, it within its body, become, in fact, an air balloon. In this manner it floated in the air even during sleep.

FRANKLIN'S ELECTRIFYING MACHINE.—An interesting scientific acquisition has just been made in Europe, says *Galignani*, by M. Andraud, the engineer so well known by his works and experiments on compressed air. At the shop of a dealer in second-hand articles, he discovered and purchased the electrifying machine, still after a lapse of nearly eighty years, in an excellent state of preservation, of Benjamin Franklin, which is supposed to have been made at Philadelphia.

A BON VIVANT "MOMENTOUS QUESTION."—A Mr. R——, a wine-merchant, was very intimate with Fauntleroy, and with a few friends was in the habit of dining with him frequently. On these occasions, when the party was not too large, the host would produce some very choice old Lunelle wine, of which R—— was exceedingly fond, but Fauntleroy could never be prevailed upon to say where he got it, or how it could be obtained. When the latter was under sentence of death, his old associates visited him repeatedly, and at their last interview, the night before his execution, R——, after having bid him farewell with the rest, on a sudden paused in the prison passage, returned to the cell, and said in a low voice to the criminal,—"You'll pardon my pressing the subject but now, at all events, my dear friend, you can have no objection to tell me where I can get some of that Lunelle."—*Barham's Life of Theodore Hook.*

YOUR FRENCHMEN AT THE GREAT PYRAMID.—"The top of the pyramid is scribbled and scratched over with the names of travellers, considerably more than an average proportion of which are Frenchmen. We English have received the character (or perhaps rather have given it to ourselves, for an affectation of humility is one of the features of our pride) of being a scribblesome people. But not, altogether, I think, with justice; for, at least among the higher classes, it strikes me, that the French are more open to the imputation than ourselves. So essential did M. Chatenubriand consider it, that his name should be inscribed on the top of the pyramid, that, not being able to make the ascent himself, he commissioned a friend to do it for him. And we meet with the names of Lamartine and Laborde (and worthy names they are) scrawled upon the doors of convents, and cut even on the cedars of Lebanon, to the horror of our modest English travellers—one of whom, Lord Lindsay, says, "I would as soon cut my name on the wall of a church;" and Mr. Warburton expresses the same sentiment in a rather queerer form, "I would as soon," he says, "have thought of carving my name on the skin of the venerable village Sheik." And yet, methinks, both Lord Lindsay's and Mr. Warburton's are names that would not disgrace even the cedars of Lebanon."

COLLODION AND TO